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Jacob Hollars Examines Recent Fair Housing Case in Law Week Colorado

Spencer Fane attorney Jacob Hollars recently authored an article, "Colorado Supreme Court Holds Alleged Violations of Colorado Fair Housing Act May be Asserted as Affirmative Defense in Residential Evictions," in *Law Week Colorado*.

In the article, Jacob explains how the Colorado Supreme Court's ruling in favor of Miller in *Miller v. Amos*, which held that "a tenant defending a residential eviction case may assert the landlord's alleged violation of the Colorado Fair Housing Act (CFHA) as an affirmative defense," reversed lower courts' rulings, triggering immediate implications for Colorado landlords.

In the case, Miller argued that her landlord, Amos, evicted her and her son due to rejected sexual advances, which constituted discrimination in violation of the CFHA. For context, the two had forged a verbal rent agreement in which Miller would provide pet care and housekeeping services rather than monetary payment.

Jacob noted, "The Miller court reached this conclusion based both on the purpose and text of the CFHA," further referencing, "its central purpose of eradicating discriminatory practices." In light of the ruling, Jacob advised residential landlords to take extra precautions to ensure all evictions are nondiscriminatory in nature.

At the firm, Jacob is a trial and appellate lawyer specializing in employment issues, real estate, special district, and commercial matters. He represents clients through all phases of litigation on a wide variety of matters in both state and federal courts.

Read the full article in *Law Week Colorado* here. Please note, a subscription may be required.