Amend printed bill, page 13, after line 25 insert:

"(XI) A tenant who deducts rent as a result of a breach of the warranty of habitability, which breach is based on a condition described in section 38-12-505 (1)(b)(I), may, in lieu of repairing the malfunctioning appliance, replace the malfunctioning appliance so long as the replacement appliance is at least of substantially comparable quality and has substantially the same features as the original appliance."

Page 14, strike lines 21 and 22 and substitute:

"SECTION 9. In Colorado Revised Statutes, amend 38-12-509 as follows:"

Page 15, line 22, after "action:" add "If a landlord elects to replace a malfunctioning appliance, but does so with a new appliance that is not identical to the appliance being replaced, there is a rebuttable presumption in favor of the landlord that the landlord’s selection of a different appliance was not retaliatory so long as the replacement appliance provides substantially the same features as the original appliance.".

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