

2015 ANNUAL REPORT

HOA INFORMATION AND RESOURCE CENTER

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COLORADO

**Department of
Regulatory Agencies**

Division of Real Estate

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EXECUTIVE SUMMARY

In response to growing concern regarding unit owners' associations¹ ("HOAs"),² the Colorado legislature ("Legislature") created the HOA Information and Resource Center ("Center") in 2010.³ The Center is organized within the Division of Real Estate ("Division"), a division of the Department of Regulatory Agencies ("DORA"). As directed by Colorado ("State") law, the Center collects information from HOAs via registration and from the inquiries and complaints received. The Center is also responsible for providing information to unit owners ("homeowners"), HOA boards, declarants,⁴ and other interested parties about the rights and responsibilities set forth in the Colorado Common Interest Ownership Act⁵ ("CCIOA") and other applicable State law.

Pursuant to COLO. REV. STAT. § 12-61-406.5(3)(c), the HOA Information Officer ("Officer"), who administers the Center, presents an annual report to the Director of the Division ("Director") after analyzing the aforementioned information. This document ("Report"), the 2015 annual report, provides an overview of the experiences of homeowners and others in matters involving HOAs, and insight into the trends and statistics of the broader common interest community ("CIC") industry within Colorado.⁶ A variety of statistics on complaints received and registered HOAs are given especial coverage. The Report also contains a brief summary of the legislation enacted in 2015 that pertains to HOAs, select operational details of the Center, and notes on the future direction of the Center.

In conclusion, the Report is part of the Center's ongoing commitment to providing information, education, and resources to those affected by, involved with, or interested in HOAs and CICs that are subject to the CCIOA.

¹ As defined in COLO. REV. STAT. § 38-33.3-103(3).

² From COLO. REV. STAT. § 12-61-101(1.2):

"HOA' or 'homeowners' association' means an association or unit owners' association formed before, on, or after July 1, 1992, as part of a common interest community as defined in section 38-33.3-103, C.R.S."

³ HB10-1278 as codified in COLO. REV. STAT. § 12-61-406.5(1); effective January 1, 2011.

⁴ From COLO. REV. STAT. § 38-33.3-103(12):

"Declarant' means any person or group of persons acting in concert who:

- (a) As part of a common promotional plan, offers to dispose of to a purchaser such declarant's interest in a unit not previously disposed of to a purchaser; or
- (b) Reserves or succeeds to any special declarant right."

The declarant is typically the developer of the community.

⁵ COLO. REV. STAT. §§ 38-33.3-101 to -402 (2015).

⁶ From COLO. REV. STAT. § 38-33.3-103(8):

"Common interest community' means real estate described in a declaration with respect to which a person, by virtue of such person's ownership of a unit, is obligated to pay for real estate taxes, insurance premiums, maintenance, or improvement of other real estate described in a declaration. Ownership of a unit does not include holding a leasehold interest in a unit of less than forty years, including renewal options. The period of the leasehold interest, including renewal options, is measured from the date the initial term commences."

LEGISLATIVE UPDATE

The Legislature passed three HOA-related bills during the 2015 session; this legislative update contains summaries of those bills. Note that these summaries do not attempt to acquaint readers with all the aspects of the bills. We recommend that those who desire a comprehensive understanding review the bills in their entirety.

2.1 HB15-1095 – EXEMPTION FOR PRE-CCIOA LIMITED EXPENSE COMMUNITIES

This bill amended the CCIOA to subject certain cooperatives and planned communities created prior to July 1, 1992 (pre-CCIOA) to a much more limited subset of provisions than they had been.⁷ To qualify, a cooperative or planned community must limit its annual common expense liability to no more than \$300 within its declaration.⁸ This amendment rescinds numerous statutory rights previously afforded by the CCIOA to homeowners living in these cooperatives or planned communities, including that these HOAs had to:

- Maintain accurate and complete accounting records;⁹
- Adopt policies, procedures, and rules and regulations concerning:
 - Meeting conduct;
 - Handling of conflicts of interest;
 - Enforcement of covenants and rules;
 - Investment of reserve funds; and
 - Procedures for addressing disputes between the HOA and homeowners.¹⁰
- Not subject homeowners to arbitrary fines;¹¹
- Provide education to homeowners;¹²
- Have procedures for performing a financial audit;¹³
- Maintain and produce association records to the homeowners;¹⁴
- Hold meetings;¹⁵
- Follow established proxy use procedures; and¹⁶
- Register with the Center.¹⁷

2.2 HB15-1343 – COMMUNITY ASSOCIATION MANAGER LICENSING ACT MODIFICATION

This bill modified the original Community Association Manager Licensing Act¹⁸ by amending the definition of practices relating to the management of a CIC, who is considered a community association

⁷ As codified in COLO. REV. STAT. § 38-33.3-119; effective August 5, 2015.

⁸ Pursuant to COLO. REV. STAT. § 38-33.3-116(1).

⁹ Pursuant to COLO. REV. STAT. § 38-33.3-117(1.5)(c).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ Pursuant to COLO. REV. STAT. § 38-33.3-117(1.5)(h).

¹⁴ Pursuant to COLO. REV. STAT. § 38-33.3-117(1.5)(m).

¹⁵ Pursuant to COLO. REV. STAT. § 38-33.3-117(1.5)(i).

¹⁶ Pursuant to COLO. REV. STAT. § 38-33.3-117(1.5)(j).

¹⁷ Pursuant to COLO. REV. STAT. § 38-33.3-117(1.5)(n).

¹⁸ As codified in COLO. REV. STAT. §§ 12-61-1001 to -1014 (2015).

manager (“CAM”), who is and who is not required to be licensed, and who is required to take which portions of the state test. It also created an apprentice license and a provisional license.

These changes include:

- An applicant that holds a Community Association Institute (CAI) credential in good standing as described in the statute need only complete the State law portion, but not the general portion of the CAM examination;
- A chief executive officer or any executive of a business entity of a management company who does not perform community association management functions does not require a CAM license;
- Defining that community association management does not mean the performance of any clerical, ministerial, accounting or maintenance function;
- Defining a “designated manager” as a person who is a currently licensed CAM, and who, on behalf of a licensed CAM entity, is responsible for performing community association management practices or supervising community association management practices performed by persons employed by, or acting on behalf of, the licensed entity;
- It creates an apprentice licensing process for those who have not completed the education and examination requirements for obtaining a CAM license. An apprentice must be under the control and direct supervision of a licensed CAM. An apprentice license is for learning and performing any practices that require a CAM license, and is valid for only one year and cannot be renewed; and
- The Director could grant a provisional license to an applicant for a CAM license if the applicant had not passed the CAM licensing examination. Provisional licenses were only granted from July 1 to December 31, 2015.

In 2015, the Division also passed rules and regulations for CAMs.¹⁹ Those rules include the following main categories: License Qualifications, Applications and Examinations; Continuing Education; Licensing and Office; Renewal, Transfer, Inactive License, Reinstatement, and Insurance; Accounting and Records; Professional Standards and Investigations; Declaratory Orders; and Exceptions and Director Review of Initial Decisions.

On January 5, 2016, the Division held a rule-making hearing and made an amendment to rule A-5 (*Community Association Manager license examination expiration and application requirements*), which clarified that a passing score for only the State law portion of the examination is valid for one year, and must be within the year prior to an application being received by the Division.²⁰

On January 13, 2016, the Division issued its first Position Statement (DP-1), concerning record retention requirements for CAMs and management companies. The intent of this rule is for the CAM or CAM company to keep and retain copies of the CIC’s documents that the CAM or CAM company has produced or been involved with during their tenure of representation of the CIC. That would not

¹⁹ 4 COLO. CODE REGS. § 725-7 (2015).

²⁰ 4 COLO. CODE REGS. § 725-7, rule A-5 (2015); amendment made in 2016.

include documents of the CIC that the CAM or CAM company was not involved with prior to their representation of the CIC, or any publicly recorded documents.

2.3 SB15-209 – TIME SHARE EXEMPTION FOR COMMUNITY ASSOCIATION MANAGERS

This bill exempts managers of time-share common interest communities from having to be licensed as community association managers.²¹ In order to qualify for this exemption, a majority of the units in the community that are designated for residential use must be time share units, or the community must be registered with the Division of Real Estate as a time share subdivision.

2.4 FEDERAL LAW

2.4.1 H.R. 26 – *Terrorism Risk Insurance Program Reauthorization Act of 2015*

This program was created after September 11, 2001, to serve as a federal reinsurance backstop against losses arising from acts of terrorism. The program has been extended through December 31, 2020. The law stabilizes the market for this terrorism-related insurance coverage for associations.

2.4.2 H.R. 1471 – *FEMA Disaster Assistance Reform Act of 2015*

An amendment to the original bill would help community associations access disaster benefits. If passed, the bill would direct the Federal Emergency Management Agency (FEMA) to provide technical assistance to homeowners' associations on how to access federal debris removal assistance and direct FEMA to develop policy solutions so cooperatives, condominiums, and community associations are able to use assistance to repair storm damage to common areas.

2.4.3 H.R. 3700 – *Housing Opportunity through Modernization Act of 2015*

This proposed act pertains to a condominiums ability to obtain Federal Housing Administration (FHA) loan certification and recertification. If passed, this bill will help to simplify and streamline project certification requirements. The bill recommends consideration of extending the initial certification period past two years and reducing the owner-occupancy - rental ratio from the existing 50% to 35%. Many condominium communities obtain FHA certification to attract additional purchasers who are able to finance their home purchase through FHA loans.

2.4.4 S. 1685 – *Amateur Radio Parity Act of 2015*

This proposed act applies the Federal Communication Commission (FCC) “reasonable accommodation” standard to amateur or HAM radio towers and antennas on private property. If passed, common interest communities may no longer have the right to apply their own architectural guidelines or safety rules to the height and dimensions of the antennas.

²¹ As codified in COLO. REV. STAT. § 12-61-1001(2) and (8); effective June 5, 2015.

2.4.5 *TILA-RESPA Integrated Disclosure Rule*

This is the Consumer Financial Protection Bureau's ("CFPB") Integrated Mortgage Disclosures final rule.²² The Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) directed the CFPB to integrate the mortgage loan disclosures under the Truth in Lending Act ("TILA") and the Real Estate Settlement Procedures Act ("RESPA") sections 4 and 5. The resulting TILA-RESPA Integrated Disclosures Rule will be implemented for most residential mortgage applications received on or after October 3, 2015. This new rule establishes new disclosures and timelines, and requires a three-day waiting period after issuing the closing disclosure document before closing on the mortgage. As a result of this new rule, HOAs should supply status letters to the title company early enough to permit time for the closing preparation.

²² 12 C.F.R. § 1024 and 12 C.F.R. § 1026 (2013); effective October 3, 2015.

CASE LAW UPDATE

3.1 MCSHANE V. STERLING RANCH PROPERTY OWNERS ASSOCIATION, COLORADO COURT OF APPEALS (APRIL 23, 2015)

This case dealt with issues of the HOA design review board and an exculpatory clause for the design review board.

In this case, owners were required to submit design plans from a licensed architect to receive the design review board's approval, which they rejected, and the owners had to redesign their home at great expense. The trial court concluded that the association had not breached its fiduciary duty and that the Declaration's Limitation of Liability section and the Design Guideline's Non-Liability section (the exculpatory clauses) barred the owner's claims for declaratory judgment, equitable estoppel, and negligence. The Court of Appeals concluded that the exculpatory clauses are valid because they do not implicate a public duty, do not involve an essential service, were fairly entered into, and plainly express the intent to release the design review board from liability.²³

3.2 VALLAGIO AT INVERNESS RESIDENTIAL CONDOMINIUM ASSOCIATION, INC. V METROPOLITAN HOMES, INC., COLORADO COURT OF APPEALS (MAY 7, 2015)

This case dealt with an arbitration provision in the declaration pertaining to construction defect claims.

In this case the association's declaration contained a mandatory arbitration provision specifically for construction defect claims, which provided that it could never be amended without the written consent of the declarant, without regard to whether the declarant owned any portion of the project at the time of the amendment. The Court of Appeals concluded that, as a matter of contract interpretation, the declaration required unit owners to obtain the declarant's consent before amending the declaration to remove the section containing the arbitration provision.²⁴

3.3 DEJEAN III V GROSZ, COLORADO COURT OF APPEALS (JUNE 8, 2015)

This case dealt with issues of a two-unit condominium, and the unilateral incorporation of an association.

In this case, the court dealt with the issue of: "Can a property owner incorporate a homeowners' association after the initial developer filed a declaration expressing an intention to form an association but then failed to do so?" The Court of Appeals concluded that where the condominium declaration contemplates a homeowners' association, and especially where the covenant runs with the land, a property owner can incorporate a homeowners' association without further consent from the other unit owners. The Court concluded that the owners had notice of the association and consented to membership in it when they purchased their unit, regardless of when the association was ultimately incorporated.²⁵

²³ Colorado Court of Appeals – April 23, 2015, 2015 COA 48. No. 14CA0248; McShane v. Stirling Ranch Property Owners Association, Inc.

²⁴ Colorado Court of Appeals – May 7, 2015, 2015 COA 65. No. 14CA1154; Vallagio at Inverness Residential Condominium Association, Inc. v. Metropolitan Homes, Inc.

²⁵ Colorado Court of Appeals – June 4, 2015, 2015 COA 74. No. 14CA0549; DeJean III v. Grosz.

3.4 HAUER V. McMULLIN, COLORADO COURT OF APPEALS (JULY 2, 2015)

This case dealt with issues of the CCIOA, open space and an unincorporated association.

In this case, the trial court concluded that the recorded final plat, the deeds, and the subdivision agreement established an implied common interest community and an unincorporated homeowners' association. The issue before the Court of Appeals was whether the recorded final plat, the deeds, and the subdivision agreement satisfy CCIOA's requirement that common interest communities be formed by an assessment obligation described in a declaration. The Court of Appeals concluded that they do.²⁶

3.5 HOUSTON V WILSON MESA RANCH HOA, COLORADO COURT OF APPEALS (AUGUST 13, 2015)

This case dealt with issues of restrictive covenants, and association action to bar short-term rentals.

In this case the trial court concluded that nothing in the association's covenants prohibited short-term rentals, either expressly or by implication; that the covenant language was ambiguous regarding the permissibility of short-term rentals; and that, because such ambiguity required that all doubts be resolved in favor of the free and unrestricted use of property, the covenants did not prohibit or limit short-term vacation rentals.

The Court of Appeals held that mere temporary or short-term rental use of a residence does not preclude that use from being "residential." It also concluded that short-term vacation rentals were not barred under the association's covenants. The Court of Appeals affirmed the judgement of the lower court.²⁷

²⁶ Colorado Court of Appeals – July 2, 2015, 2015 COA 90. No. 13CA2283; Hauer v. McMullin.

²⁷ Colorado Court of Appeals – August 13, 2015, 2015 COA 113. No. 14CA1086; Houston v. Wilson Mesa Ranch Homeowners Association, Inc.

REGISTRATION

State law mandates every HOA to register and renew their registration on an annual basis.²⁸ Every registering HOA must also submit a fee and update any relevant information in their registration within ninety days of any change.²⁹ An HOA that fails to register or allows its registration to lapse may not impose or enforce certain liens and is limited in the actions it may pursue or specific means of enforcement it may utilize, until it is validly registered.³⁰

The Center is charged with the task of registering HOAs in Colorado. Furthermore, the Center collects the information provided in these registrations into a database.³¹ As of December 31, 2015, 8,015 HOAs are validly registered with the Center.

4.1 COMPLIANCE

A lack of widespread knowledge about the need for HOAs to register coupled with the absence of authority to enforce the registration requirement hinders the Center in its efforts to register all HOAs within Colorado. The only encouragement given to HOAs to register is the aforementioned lien provision, which is solely an affirmative defense to be employed in applicable legal proceedings in the unlikely circumstance that a homeowner happens to know that their HOA has not registered with the Center.

The CCIOA compounds this problem by omitting COLO. REV. STAT. § 38-33.3-401 from COLO. REV. STAT. § 38-33.3-116 subsections 1 and 2, and COLO. REV. STAT. § 38-33.3-119. These exemptions, targeting small and limited expense CICs, are meant to reduce the burden on those CICs, yet the registration requirement explicitly exempts HOAs with \$5,000 or less in annual revenue from paying the registration fee, which many of the HOAs of these CICs would qualify for. Considering that the one-time initial registration can be completed online in twenty minutes or less, the rationale for not explicitly including COLO. REV. STAT. § 38-33.3-401 seems tenuous. Ascertaining the characteristics of the CIC industry is the primary intent behind collecting registration information, and weak data on small CICs not only skews the statistics, it denies those CICs a voice in decisions based upon them.

Beyond failing to register, another source of inaccuracy is incorrect registration data provided on behalf of some HOAs. Although verifying all the data in registrations would be impossible without conducting a census-like effort, at least 228 HOAs had invalid Secretary of State IDs in their registrations. Not all of the errors in these registrations are typographical in nature, and it appears that some HOAs are abusing COLO. REV. STAT. § 38-33.3-401(4)(a) to claim that they are validly registered while providing blatantly erroneous data such as stating that the name of the association is “HOA” and that the address has a zip code of 99999. Granting the Division statutory authority to revoke registrations that are clearly deceptive or nonsensical would add an incentive to be truthful.

²⁸ From COLO. REV. STAT. § 38-33.3-401(1):

“Every unit owners’ association shall register annually with the director of the division of real estate, in the form and manner specified by the director.”

²⁹ COLO. REV. STAT. § 38-33.3-401(2)(a)

³⁰ COLO. REV. STAT. § 38-33.3-401(3)

³¹ Pursuant to COLO. REV. STAT. § 12-61-406.5(3)(a)(I).

4.2 UNITS

A unit, as defined by the CCIOA, is a physical space set aside for separate ownership or occupancy.³² The sum of the unit counts accompanying all the registrations provided by HOAs is 820,242 as of December 31, 2015. The mean (average) number of units per CIC is 102.3 with a standard deviation of 418.3; the median is 38.

4.2.1 Timeshares

Time-sharing is a form of ownership of a unit, or more specifically, a time share unit, which is divided temporally, creating time share estates.³³ Within the scope of registration, a time share unit is tallied as one unit, not the number of time share estates it is divided into. Hereafter, no distinction is made between time share units, as defined in the Condominium Ownership Act, and units, as defined in the CCIOA.

4.3 COMMON INTEREST COMMUNITIES

The CCIOA requires that the declaration of a CIC state whether the CIC is a condominium, cooperative, or planned community,³⁴ and HOAs are required to provide the same information when registering with the Center. The distinction in the CCIOA between condominiums, cooperatives, and planned communities is made on the basis of ownership of real estate, not on the physical characteristics of the CIC; it is certainly possible for a CIC that resembles the one described under *Condominiums* to be a planned community or vice versa.

4.3.1 Condominiums

A condominium is a CIC in which real estate that is not designated for separate ownership by homeowners is owned in common by those homeowners.³⁵ Many CICs registered as condominiums contain one or more multi-family dwellings, each of which is further divided into multiple units. Much of the remaining real estate (e.g., structures that do not contain units, the parts of buildings that contain, but are not within units, and unenclosed spaces) is owned in

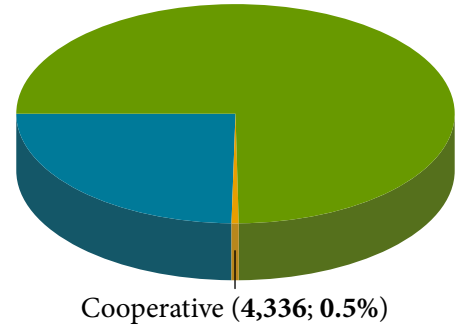


Figure 4.1 Chart of units by CIC type.

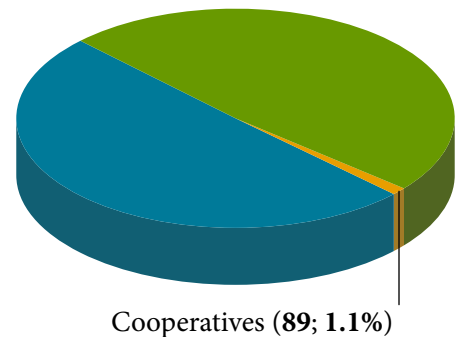


Figure 4.2 Chart of HOAs by CIC type.

³² As defined in COLO. REV. STAT. § 38-33.3-103(30).

³³ Definitions related to time-sharing can be found in COLO. REV. STAT. § 38-33-110, a section of the Condominium Ownership Act, which precedes, but is not entirely superseded by, the CCIOA.

³⁴ COLO. REV. STAT. § 38-33.3-205(1)(a)

³⁵ COLO. REV. STAT. § 38-33.3-103(9)

common by all homeowners; these parts are called common elements. The mean (average) number of units per condominium is 50.2 with a standard deviation of 88.4; the median is 24.

4.3.2 Cooperatives

The least common type of CIC is the cooperative. In a cooperative, the HOA owns the real estate and homeowners are granted exclusive possession of a unit on the basis of ownership in the HOA.³⁶ The mean (average) number of units per cooperative is 48.7 with a standard deviation of 109.2; the median is 27.

4.3.3 Planned Communities

A planned community is simply defined as a CIC that is neither a condominium nor a cooperative; however, a planned community may contain condominiums or cooperatives.³⁷ Commonly, CICs registered as planned communities encompass many single-family houses, each of which is equivalent to a single unit; the structure of the house and a small surrounding area are owned exclusively by the homeowner. The mean (average) number of units per planned community is 157.6 with a standard deviation of 588.3; the median is 62.

4.3.4 Pre-CCIOA Common Interest Communities

With the entry of HB13-1134 into State law, the issue of whether pre-CCIOA HOAs are required to register has been resolved. HB13-1134 amended the list of CCIOA sections applicable to preexisting CICs³⁸ to add the registration mandate.³⁹

This change, however, does not affect the applicability of other sections of the CCIOA to preexisting CICs, thus the Center continues to compile statistics on the portion of HOAs that may be covered by exemptions that apply to preexisting CICs. The Center uses the Secretary of State ID issued to an HOA to ascertain whether the CIC may qualify for the aforementioned exemptions; the IDs are collected from HOAs as part of the registration process.

HOAs may exercise other exemptions in the CCIOA as well, such as the exemption for large planned communities,⁴⁰ exemptions for small or limited expense CICs,⁴¹ and exemptions for timeshares.⁴² HOAs are not currently required to indicate the exemptions they exercise when registering, so the Center is limited in its ability to conduct a comprehensive survey on the use of these exemptions.

³⁶ COLO. REV. STAT. § 38-33.3-103(10)

³⁷ COLO. REV. STAT. § 38-33.3-103(22)

³⁸ COLO. REV. STAT. § 38-33.3-117

³⁹ COLO. REV. STAT. § 38-33.3-401

⁴⁰ COLO. REV. STAT. § 38-33.3-116.3, *et alibi*. HOAs are not required to state the acreage of associated CICs when registering. 209 HOAs (2.6%) stated that associated CICs contain 500 or more units.

⁴¹ COLO. REV. STAT. §§ 38-33.3-116, 38-33.3-119, *et alibi*. From registration data: 1,325 CICs (16.5%) contain no more than 10 units, and 2,589 (32.3%) contain no more than 20 units. No information is available on the number of CICs that may be exempt due to limiting the annual average common expense liability.

⁴² COLO. REV. STAT. §§ 38-33.3-209.4(4), 38-33.3-209.7(2), 38-33.3-302(4)(b), 38-33.3-303(4)(b)(V), 38-33.3-308(2)(b)(II), 38-33.3-308(2.5)(c), 38-33.3-310(1)(b)(II), 38-33.3-317(1)(e), 38-33.3-317(3)(g), *et alibi*.

Status	HOAs	HOAs – %	Units Encompassed	Units – %
Pre-CCIOA ⁴³	2,437	30.4%	290,831	35.5%
ID issued in 1992 ⁴⁴	145	1.8%	12,823	1.6%
CCIOA ⁴⁵	5,205	64.9%	466,464	56.9%
Invalid ID supplied	228	2.8%	50,124	6.1%

Table 4.1 HOAs by potential eligibility for preexisting CIC exemptions.

4.3.5 Geographical Distribution of Common Interest Communities

HOA registrations provide the Center with information from which the location of Colorado’s CICs can be extrapolated.

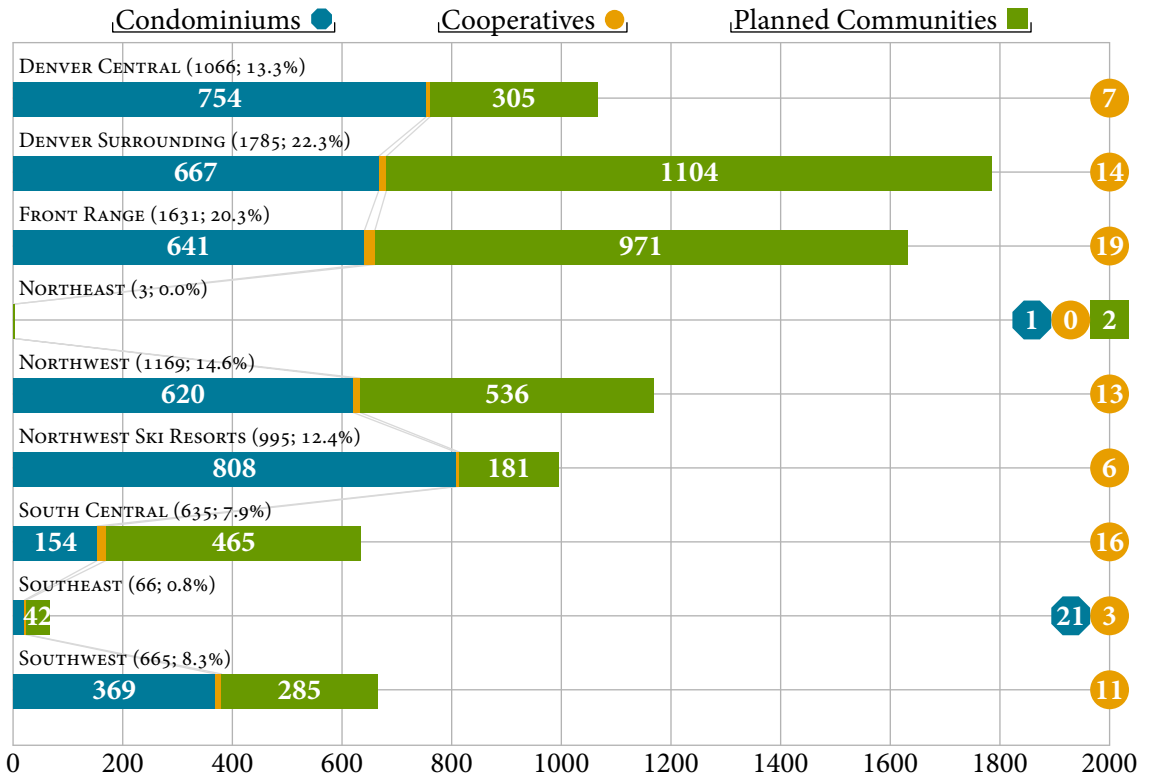


Figure 4.3 Chart of CICs in Colorado, by region.

⁴³ Some CICs formed prior to July 1, 1992 have elected treatment under the CCIOA pursuant to COLO. REV. STAT. § 38-33.3-118. These CICs, as a result, do not qualify for the exemptions normally granted to pre-CCIOA CICs.

⁴⁴ The first four digits of a Secretary of State ID denote the year of issuance, however, the ID does not provide additional detail regarding the month; therefore, the Center could not determine whether HOAs with IDs issued in the year of 1992 are eligible for the exemptions. The footnote associated with the status CCIOA applies, *mutatis mutandis*, as well.⁴⁵

⁴⁵ It is possible that some CICs were formed sufficiently far in advance of their HOAs obtaining a Secretary of State ID that they may still qualify for the preexisting CIC exemption despite being counted as CCIOA.

Region	Cities (HOAs; unit mean; unit standard deviation)
DENVER CENTRAL	Cherry Hills Village (5; 100.2; 40.1), Denver (959; 82.9; 301.3), Englewood (99; 124.7; 229.2), and Glendale (3; 98.3; 121.6).
DENVER SURROUNDING	Arvada (140; 115.1; 145.4), Aurora (348; 170.1; 257.0), Brighton (50; 215.7; 216.5), Broomfield (87; 206.0; 313.5), Centennial (100; 207.2; 308.2), Commerce City (15; 251.0; 196.4), Eastlake (7; 180.7; 224.8), Edgewater (1; 76.0; 0.0), Golden (85; 91.6; 161.6), Greenwood Village (41; 145.9; 178.0), Henderson (9; 237.8; 227.0), Highlands Ranch (66; 814.4; 3672.5), Lakewood (201; 75.3; 87.0), Littleton (217; 150.6; 329.6), Lone Tree (32; 166.1; 195.7), Morrison (14; 96.2; 73.5), Northglenn (7; 303.7; 433.3), Parker (115; 271.9; 468.6), Thornton (108; 180.3; 170.1), Watkins (3; 30.0; 22.4), Westminster (108; 120.4; 124.7), and Wheat Ridge (31; 39.7; 47.7).
FRONT RANGE	Alma (2; 42.0; 20.0), Bailey (4; 133.2; 127.4), Bennett (2; 29.5; 16.5), Berthoud (15; 36.3; 27.7), Black Hawk (3; 99.7; 86.3), Boulder (314; 66.4; 173.1), Buffalo Creek (1; 57.0; 0.0), Carr (1; 9.0; 0.0), Castle Pines (18; 337.4; 742.7), Castle Rock (72; 264.8; 523.8), Central City (1; 235.0; 0.0), Como (1; 680.0; 0.0), Conifer (4; 36.2; 40.6), Dacono (2; 944.0; 756.0), Drake (2; 149.0; 137.0), Dumont (1; 39.0; 0.0), Eaton (6; 85.5; 92.5), Elbert (2; 32.0; 14.0), Elizabeth (5; 65.4; 57.3), Erie (28; 253.6; 326.9), Estes Park (66; 30.5; 32.9), Evans (5; 106.4; 132.6), Evergreen (41; 80.3; 117.3), Fairplay (7; 188.1; 129.0), Firestone (9; 274.6; 174.8), Fort Collins (427; 88.8; 117.8), Fort Lupton (3; 167.0; 140.9), Franktown (3; 76.7; 78.1), Frederick (9; 164.9; 121.9), Georgetown (4; 29.8; 25.6), Glen Haven (2; 209.0; 14.0), Greeley (71; 74.5; 92.7), Guffey (1; 8.0; 0.0), Hartsel (2; 487.5; 24.5), Hudson (2; 99.0; 82.0), Idaho Springs (2; 16.0; 16.0), Indian Hills (3; 16.0; 9.4), Jefferson (2; 166.0; 109.0), Johnstown (10; 121.0; 106.9), Kersey (1; 13.0; 0.0), Lafayette (46; 166.5; 259.9), Lake George (2; 87.5; 2.5), Laporte (2; 47.5; 33.5), Larkspur (8; 51.8; 61.2), Livermore (3; 338.0; 444.1), Lochbuie (1; 388.0; 0.0), Longmont (148; 93.7; 111.9), Louisville (44; 48.1; 40.5), Loveland (122; 90.5; 111.6), Lyons (6; 35.3; 28.8), Masonville (1; 12.0; 0.0), Mead (7; 109.1; 102.0), Milliken (3; 426.7; 231.6), Niwot (12; 67.5; 50.3), Pine (6; 207.5; 347.3), Pinecliffe (1; 37.0; 0.0), Platteville (1; 186.0; 0.0), Red Feather Lakes (3; 1113.3; 747.8), Rollinsville (1; 21.0; 0.0), Sedalia (11; 61.2; 57.5), Strasburg (3; 125.3; 70.4), Superior (5; 617.0; 1096.5), Timnath (6; 81.0; 88.2), Wellington (9; 116.7; 94.3), and Windsor (26; 141.9; 237.4).
NORTHEAST	Fort Morgan (1; 10.0; 0.0), and Sterling (2; 9.5; 0.5).
NORTHWEST	Avon (160; 82.0; 387.9), Basalt (50; 35.2; 35.8), Battlement Mesa (9; 345.7; 816.9), Blue River (1; 36.0; 0.0), Carbondale (74; 47.5; 96.0), Clark (5; 146.8; 241.8), Clifton (3; 155.7; 157.0), Cordillera (4; 22.5; 11.7), Craig (3; 279.7; 374.3), De Beque (1; 24.0; 0.0), Dillon (63; 56.6;

Table 4.2a Cities with registered HOAs, by region.

Region	Cities (HOAs; unit mean; unit standard deviation)
	69.3), Eagle (42; 69.1; 213.7), Eagle-Vail (3; 29.3; 17.2), Edwards (91; 97.3; 190.6), El Jebel (1; 35.0; 0.0), Fraser (28; 34.0; 47.4), Frisco (69; 29.6; 38.9), Fruita (16; 50.6; 62.8), Glade Park (1; 18.0; 0.0), Glenwood Springs (70; 47.7; 95.0), Granby (29; 113.3; 206.3), Grand Junction (210; 58.6; 62.1), Grand Lake (14; 95.1; 160.9), Gypsum (18; 113.4; 202.0), Hayden (4; 22.0; 13.0), Hot Sulphur Springs (2; 63.0; 7.0), Kremmling (2; 92.0; 75.0), Leadville (6; 21.0; 14.2), Loma (3; 11.3; 4.7), Meeker (1; 66.0; 0.0), Meredith (1; 8.0; 0.0), Mesa (2; 39.0; 9.0), Minturn (3; 17.3; 8.6), New Castle (14; 85.1; 203.4), Oak Creek (5; 511.2; 892.0), Palisade (2; 24.5; 10.5), Parachute (1; 18.0; 0.0), Redstone (1; 15.0; 0.0), Rifle (19; 26.9; 21.2), Silt (6; 25.0; 30.3), Silverthorne (104; 41.4; 50.8), Snowmass (7; 34.9; 26.9), Tabernash (1; 119.0; 0.0), Walden (2; 40.0; 10.0), Whitewater (2; 40.5; 11.5), Wolcott (6; 28.2; 22.9), Woody Creek (9; 14.7; 16.4), and Yampa (1; 10.0; 0.0).
NORTHWEST SKI RESORTS	Aspen (201; 25.4; 38.9), Beaver Creek (5; 46.4; 24.8), Breckenridge (186; 41.2; 61.5), Copper Mountain (37; 52.0; 81.8), Keystone (50; 68.1; 140.4), Snowmass Village (38; 56.4; 48.5), Steamboat Springs (211; 36.0; 38.2), Vail (167; 29.4; 34.7), and Winter Park (100; 95.4; 433.2).
SOUTH CENTRAL	Alamosa (4; 244.2; 379.0), Antonito (2; 117.5; 24.5), Buena Vista (20; 36.0; 32.0), Calhan (1; 14.0; 0.0), Cañon City (5; 166.2; 218.9), Coal Creek (1; 75.0; 0.0), Colorado Springs (474; 122.8; 286.5), Cotopaxi (6; 188.0; 293.8), Cripple Creek (2; 827.5; 772.5), Del Norte (1; 93.0; 0.0), Divide (6; 95.7; 61.3), Florence (1; 19.0; 0.0), Florissant (5; 368.6; 621.3), Fort Garland (1; 404.0; 0.0), Fountain (8; 165.4; 185.6), Hillside (1; 29.0; 0.0), Howard (1; 70.0; 0.0), La Jara (1; 98.0; 0.0), Manitou Springs (10; 50.6; 103.5), Monte Vista (3; 30.7; 16.4), Monument (22; 141.5; 160.8), Nathrop (2; 188.0; 119.0), Peyton (13; 150.5; 215.4), Poncha Springs (2; 91.5; 64.5), Salida (20; 21.6; 16.4), San Luis (1; 63.0; 0.0), Silver Cliff (1; 6.0; 0.0), South Fork (4; 107.0; 48.6), Villa Grove (1; 17.0; 0.0), Westcliffe (11; 89.1; 145.0), and Woodland Park (5; 46.8; 37.5).
SOUTHEAST	Beulah (1; 46.0; 0.0), Colorado City (3; 158.7; 140.7), Cuchara (2; 17.0; 11.0), Gulnare (1; 43.0; 0.0), La Veta (9; 33.9; 33.7), Pueblo (33; 53.5; 44.9), Pueblo West (2; 191.5; 157.5), Rye (3; 62.0; 68.1), Trinidad (6; 105.8; 158.4), Walsenburg (2; 197.5; 12.5), and Weston (4; 43.5; 17.8).
SOUTHWEST	Almont (7; 35.1; 23.9), Austin (1; 16.0; 0.0), Bayfield (8; 52.2; 43.3), Cedaredge (3; 103.3; 111.8), Chromo (4; 30.0; 32.9), Cimarron (1; 21.0; 0.0), Cortez (5; 30.8; 26.5), Creede (1; 16.0; 0.0), Crested Butte (111; 32.0; 94.0), Delta (4; 44.5; 26.7), Dolores (3; 24.7; 3.4), Durango (167; 35.4; 54.2), Gunnison (32; 33.6; 67.6), Hesperus (2; 21.0; 14.0), Ignacio (1; 6.0; 0.0), Lake City (3; 45.3; 38.7), Mancos (3; 62.3; 55.0), Montrose (44; 81.5; 164.2), Mount Crested Butte (19; 66.3; 135.2), Mountain Village (20; 196.1; 753.7), Norwood (2; 15.5; 4.5), Olathe (2; 15.5; 4.5),

Table 4.2b Cities with registered HOAs, by region.

Region	Cities (HOAs; unit mean; unit standard deviation)
	Ophir (1; 20.0; 0.0), Ouray (7; 10.3; 6.8), Pagosa Springs (45; 198.0; 972.0), Paonia (2; 41.0; 27.0), Placerville (5; 14.0; 7.5), Powderhorn (1; 623.0; 0.0), Rico (1; 18.0; 0.0), Ridgway (13; 78.9; 84.0), and Telluride (147; 25.3; 37.8).

Table 4.2c Cities with registered HOAs, by region.

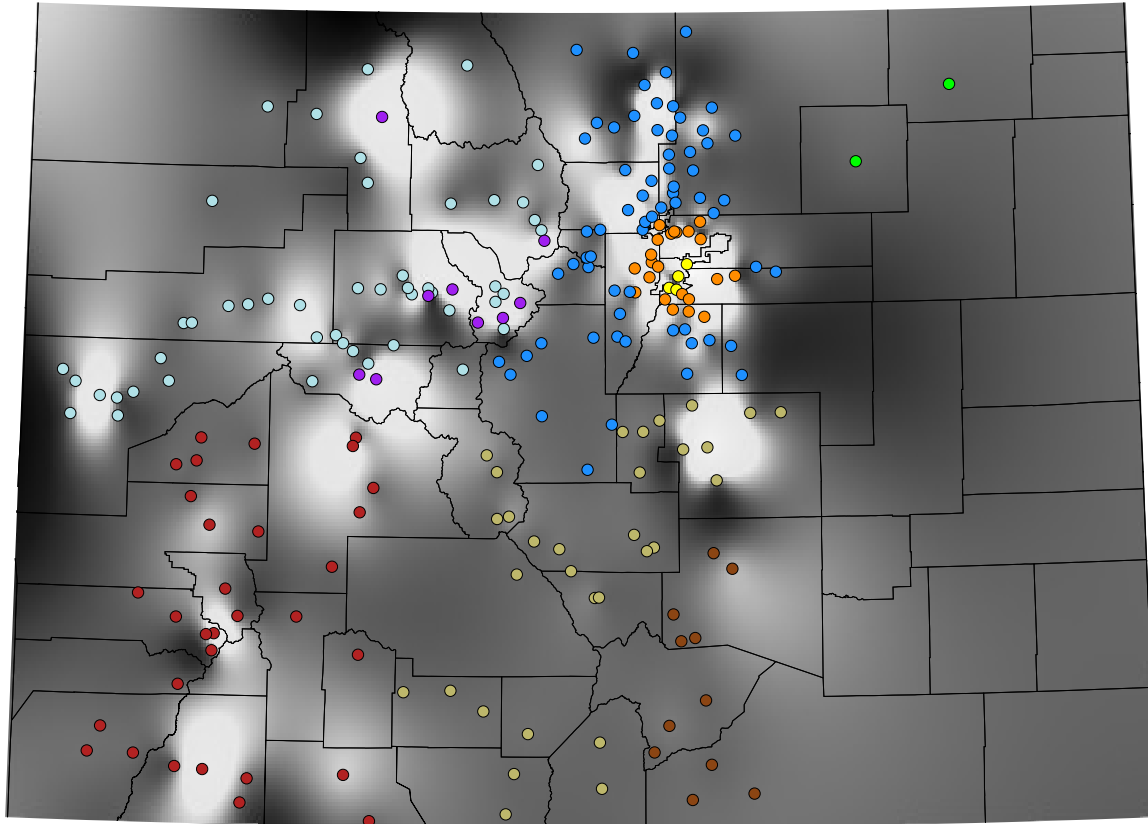


Figure 4.4 Map of Colorado with a monochrome overlay depicting the concentration of CICs, black outlines of counties, and colored dots indicating cities in which CICs are present. Lighter shades around cities correspond to a higher density of CICs. The colors of the dots represent the different regions.

4.3.6 Common Interest Community Size Data

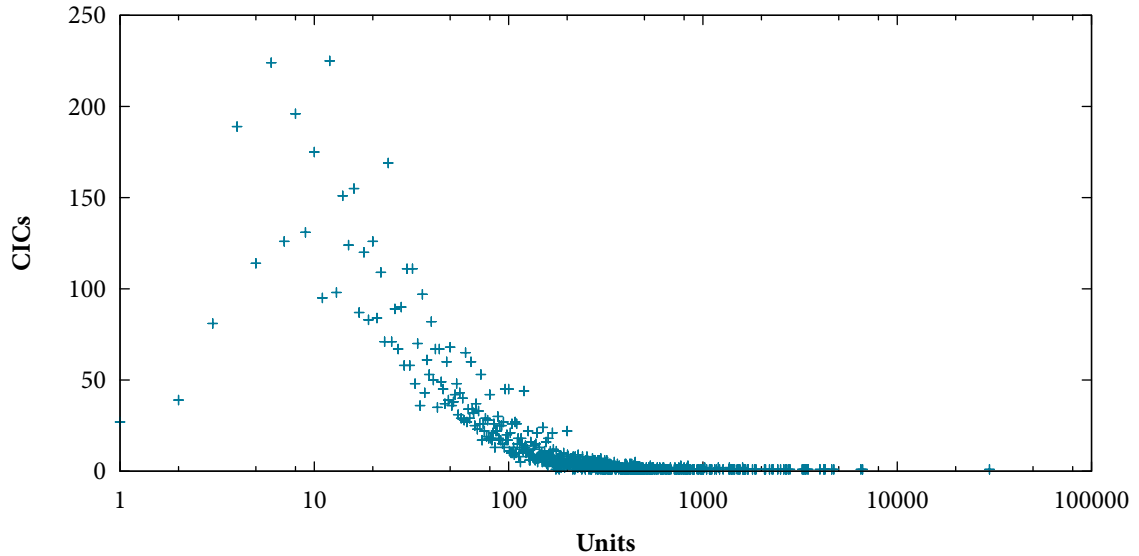


Figure 4.5 Plot of CICs by unit count; the *Units* axis is scaled logarithmically.

4.4 REGISTRATION FEE

Throughout 2015, the registration fee was \$27. HOAs that are not authorized to make assessments and do not have any revenue or HOAs with annual revenues of \$5,000 or less are not required to pay this fee.⁴⁶ This provision does not, however, absolve any such HOA from still registering.

As the Center is responsible for collecting registration fees, HOAs are required to inform the Center whether they are exempt from paying the fee or not.

Fee Status	HOAs Total		Condominiums		Cooperatives		Planned Communities	
Exempt	593	7.4%	176	29.7%	23	3.9%	394	66.4%
Not Exempt	7,422	92.6%	3,859	52.0%	66	0.9%	3,497	47.1%

Table 4.3 HOAs by fee status.

HOA Fee Status	Units Total		Condominium		Cooperative		Planned Community	
HOA Exempt	23,652	2.9%	3,134	13.3%	1,758	7.4%	18,760	79.3%
HOA Not Exempt	796,590	97.1%	199,532	25.0%	2,578	0.3%	594,480	74.6%

Table 4.4 Units by HOA fee status.

⁴⁶ COLO. REV. STAT. § 38-33.3-401(2)(b)

INQUIRIES

One of the main objectives of the HOA Information and Resource Center is to provide information to interested parties about HOAs and CICs that are subject to the CCIOA. In accordance with State law, the HOA Information Officer acts as a clearinghouse for information concerning the basic rights and duties of unit owners, declarants, and HOAs.⁴⁷

The Center logged 6,892 separate inquiries during year 2015, an increase of 1,319 over the previous year. In responding to these inquiries, the Center answered questions and provided referrals to applicable legal, alternative dispute resolution, and government services. Parties that contacted the Center for information include: homeowners, tenants, community association managers, HOA board members, attorneys, government agencies, vendors, and declarants.

Most of the inquiries to, and assistance from, the Center pertained to the following areas:

- The governing documents of an HOA, namely, the map or plat, declaration, articles of incorporation, bylaws, and rules and regulations;
- Election and quorum issues, as well as the use of proxies in voting, and election monitoring;
- Meeting issues, including: quorums, meeting notices, meeting minutes, owner's meetings, board meetings and executive sessions, as well as meeting procedures and best practices in running a meeting;
- Harassment, intimidation and retaliation concerns in the community;
- The use of mediation in HOA disputes;
- Communication issues including membership lists, newsletters and community websites;
- The CCIOA law and its applicability to pre and post-CCIOA communities;
- The Colorado Revised Non-Profit Act and its applicability to common interest communities;
- The basic rights and responsibilities of homeowners;
- Transparency concerns of an association;
- The financial aspects of an HOA, including assessments (both general and special), accounting and budgeting, insurance, audits and reserves;
- Maintenance responsibility and neglected upkeep of the community, major community repairs, and community safety issues;
- The enforcement capabilities of an HOA, such as levying fines on homeowners, filing liens and foreclosing on units, collection practices, and due process rights with enforcement;
- Maintenance of records by the HOA, and the disclosure and production of HOA records to homeowners;
- Issues concerning the managing and operation of self-managed associations;
- Senior issues and concerns living in a common interest community;
- The new community association manager program, including who is and who is not required to be licensed;
- Declarant issues, including disclosure of documents, transfer of control, and enforcement of governing documents;
- Regulatory compliance concerning HOA registrations;
- The functions and duties of the Center (e.g., how it assists homeowners, registers HOAs, and processes complaints); and

⁴⁷ COLO. REV. STAT. § 12-61-406.5(3)(a)

- The statutes that constitute, and the bills that impact, HOA law.

The Officer or his assistant answered inquiries via telephone, email, and in-person meetings, thereby assisting homeowners and other interested parties. To preemptively address many of these inquiries, the Center has greatly expanded the scope of the resources available on its website, with an emphasis on providing access to relevant State law; towards the same end, the Center has also implemented an electronic mailing list through a series of email blasts to forward important information concerning HOAs to subscribers.

By discussing the concerns homeowners have about their HOAs, the Center aims to provide avenues for solutions in the form of information and referrals, and thus empowers consumers with the knowledge that they need to work within their HOAs, and if necessary, to effectuate change for the better.

COMPLAINTS

From January 1, 2015 to December 31, 2015, the Center received 1,807 complaints via mail, phone, e-mail, submission in person, and the Center’s website. The complainants were homeowners and others involved with HOAs.

Beyond the complaint itself, information collected includes the location of the HOA and details on the party or parties against whom the complaint is directed, as applicable. For complaints directed against HOAs these details include the name, type, and contact information of the HOA, and whether the HOA is managed by a third-party, and if so, the name of that third-party.

6.1 COMPLAINTS

The Center uses information collected from submitted complaints to determine the geographical area of the HOA concerned.

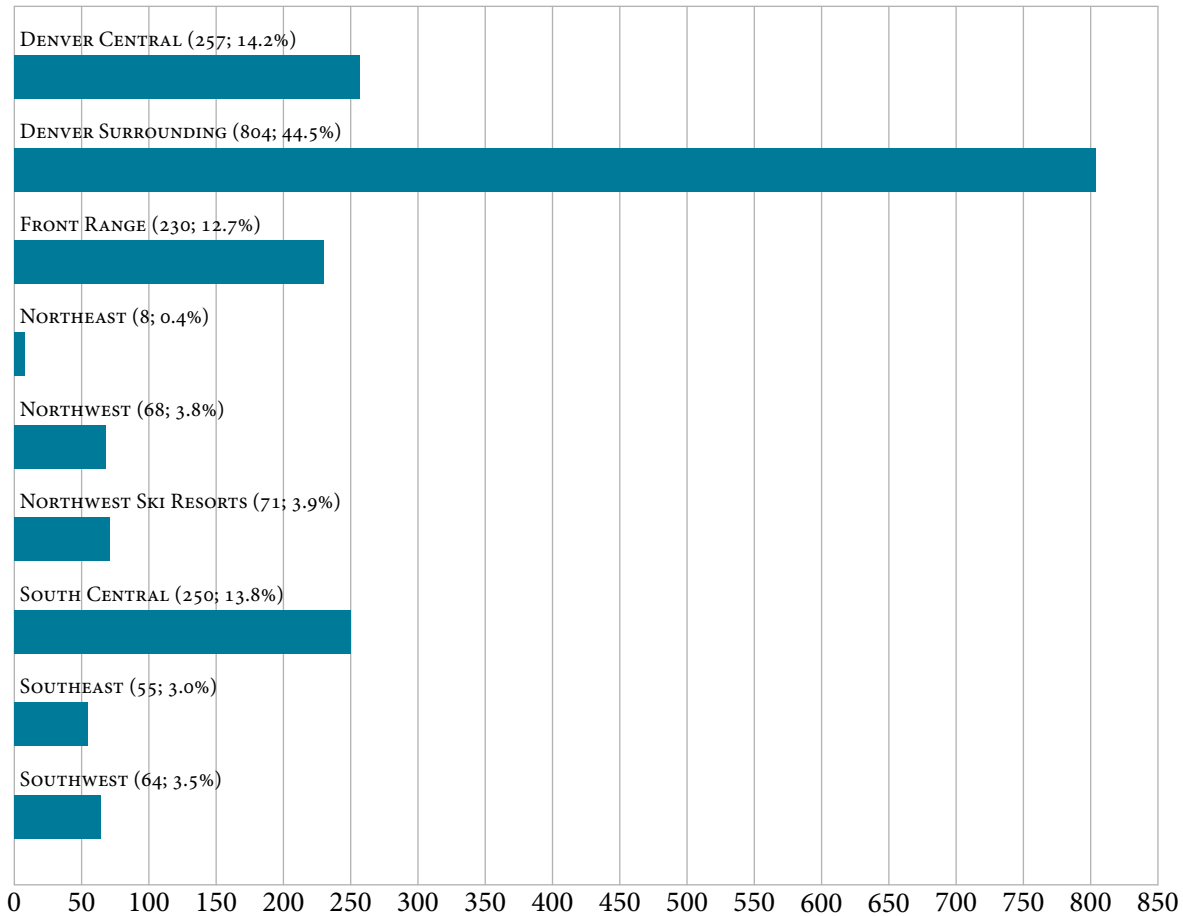


Figure 6.1 Chart of complaints by region. The cities included in each region are listed in table 4.2, on page 12.

6.2 COMPLAINTS INVOLVING COMMUNITY ASSOCIATION MANAGERS

Complaints that specifically mentioned managers as either a cause or responsible party accounted for 447 of all those received. It should be noted however, that these complaints against managers were received by the Center from January 1 until June 30, 2015. Since July 1, 2015, any complaints against a community association manager or management company are directed to the new community association manager licensing program for processing and possible investigation.⁴⁸ The role of the community association manager is extremely important as the HOA board consists of volunteer homeowners who may not have adequate time or expertise to commit to the task of overseeing and running the HOA in its most minute detail. Many HOA boards hire a community association manager to handle various aspects of the community, including:

- Communicating with homeowners and acting as a liaison between the HOA board and homeowners, as accomplished by preparing community newsletters, providing required notices, etc.;
- Financial matters, including preparing the HOA's budget, collecting dues and special assessments, and assisting with reserve planning, investing funds, and maintaining adequate insurance;
- Enforcing the covenants and rules and regulations for the community, which includes finding violations and responding by levying fines, imposing other penalties, or simply issuing warnings;
- Record-keeping, such as drafting the minutes of HOA board meetings, accounting, and updating necessary information on homeowners;
- Maintaining the property, including, when necessary, administering contracts with vendors and professional advisers for the HOA;
- Educating and updating the HOA board on relevant laws, trends, and the state of the HOA, often while attending board and homeowner meetings; and
- Overseeing elections.

The largest number of complaints against managers from January 1 to June 30, 2015, pertained to communication issues, including managers not properly informing homeowners of owner and board member meetings, not timely preparing and publishing meeting minutes, not following up with owners on issues or even responding to their inquiries and concerns, and owners not being informed about current events in the community. The second largest number of complaints consisted of managers not performing adequate maintenance or repairs to the community. As the manager takes on the task of overseeing the association property on behalf of the board, the association relies on the professional manager to observe and bring attention to the condition of the physical assets of the community. The association depends on the manager to properly advise in the

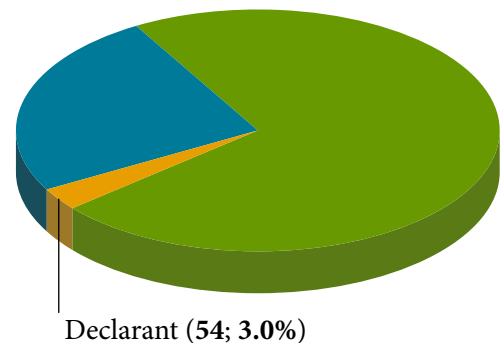


Figure 6.2 Chart of complaints by party charged.

⁴⁸ Pursuant to COLO. REV. STAT. § 12-61-1013, on or before February 15, 2016, the Director will report to the Colorado legislative committees hearing business issues and provide a review of the implementation of the new community association manager licensing program.

budgeting and funding of the association, in order to adequately maintain and repair the community, and to handle those functions in a timely manner.

Additional complaints against managers were concerned with the enforcement of covenants, either improperly or not at all. These complaints frequently had to do with the selective enforcement of covenants against one owner and not others in the community, or not enforcing actions against a board member or officer of the association.

Finally, another category with a high percentage of complaints concerned accounting and budgeting. Reported instances included accounting mistakes resulting in improper late fees and charges imposed on owner's accounts, and not properly researching and estimating an HOA's operating expenses and reserve funding.

6.3 CLASSIFICATION OF COMPLAINTS

The Center categorizes the complaints it receives according to type. Types that accounted for fewer than three complaints were placed under *Miscellaneous*.

The nature of complaints associated with condominiums and planned communities were very similar. Complaints that mention an HOA in general or its board of directors as either a cause or responsible party account for 1360 (75.3%) of all the complaints received, with 54 of those complaints being directed towards declarant-controlled boards. Complaints overall have gone up this year over last, and since July 1, 2015, when the community association manager licensing program started, the number of non-manager complaints has increased. Also, with regard to all of the complaints received by the Center, it was reported that 77% were involved in professionally-managed communities, with 23% being reported in self-managed communities.

Allegations of not performing maintenance and repairs were the most common type of complaints received in 2015, of which nearly 68% were associated with condominiums. Examples include common building structures and amenities not undergoing routine maintenance leading to major repairs, and essential repairs being ignored and not addressed, frequently resulting in safety and liability concerns to homeowners. A large number of complaints in this category have to do with neglected maintenance over many years, which later resulted in either much higher repair bills, a large increase in assessment dues, or a large special assessment for owners. Where safety issues are concerned, complainants were directed to their local housing and building enforcement departments. Additional safety issues received by the Center included instances of no lighting, and poor or no snow and ice removal in the community, despite the demographics of many of these communities consisting mainly of seniors. One reported case involved the association's heat and hot water being turned off for long periods of time when the weather was still cold.

Communication continues to be a major complaint area, with accusations of owners not properly or adequately being informed of owner and board member meetings, little or no communication to the owners of ongoing events in the community, no immediate access to community information (which could often be resolved with a simple association website, newsletter, or e-mail to homeowners), and board members ignoring or being dismissive toward owner concerns. Condominium associations accounted for 58% of these communication complaints.

A large number of complaints pertained to the association not enforcing any covenants or rules and regulations at all, improperly enforcing those covenants against an owner, selectively enforcing a covenant or rule and regulation against one owner but not another, or having lax enforcement for the benefit of a board member or officer. This was the third highest category of complaints received by the Center, with nearly an equal number of complaints pertaining to both condominiums and planned communities.

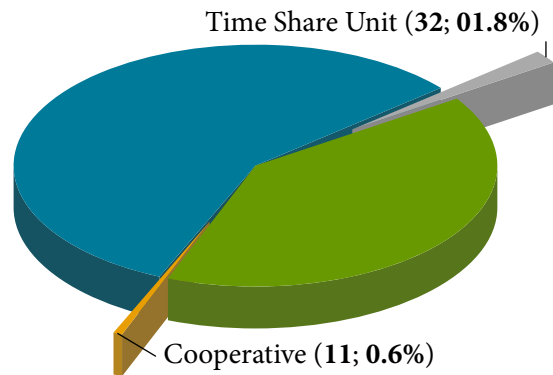


Figure 6.3 Chart of complaints by CIC type.

Additional complaints centered on ignoring or intentionally not following the covenants, conditions and restrictions (“CC&Rs”) of the association, its declarations, bylaws, or rules and regulations. These constituted the largest number of complaints for planned communities, although the numbers received for condominiums and planned communities were nearly equal. Examples of these concerns included board members and managers not knowing what provisions were contained in the association’s governing documents, and executive boards making important decisions without reviewing relevant document provisions. In addition, there were many reports of board members intentionally not following obvious governing document provisions and proceeding with matters contrary to those provisions; even stating to owners, “We have always done it this way, so it does not matter what the governing documents say.” Also reported to the Center were instances that the association’s governing documents had not been updated to comply with many provisions of the CCIOA where required, and that those statutory provisions were not being followed by the association.

A combined area of complaints pertaining to meetings and elections included: not obtaining meeting quorum requirements; utilizing improper meeting procedures and motion practices; not allowing owners to attend board meetings; the improper use of board member executive sessions; not allowing owners to speak on issues of concern as well as issues being voted on by the board of directors; the improper use, assignment and counting of proxies in voting by board members; not holding elections of board members when required to do so; lack of transparency and no independent oversight of elections and their results; and not keeping records of owner meeting quorum and election results. The Center also received many complaints about not informing owners of regularly scheduled board meetings, and association boards not recognizing special meeting requests pursuant to statute, especially when the special meeting was for the recall of a board member.

An important area of complaints pertained to poor accounting practices, inadequate budgeting for the association, and the increase of assessments to cover those deficient practices. These matters accounted for 9.13% of all complaints received by the Center, with nearly 59% of these complaints relating to condominium communities. Many complaints related that the budget information and bank information did not reconcile and that associations greatly underestimated expenses, resulting in sharp assessment increases in order to cover the deficits. There were also complaints relating to inaccuracies with owner’s accounts, where owners were charged incorrect late charges, interest, and fines. There were also some reported instances of board members borrowing money from the association accounts and taking out personal loans, as well as board misappropriation of funds. Connected with some of these misappropriation instances were conflicts of interest of board members and vendors, sometimes where the board members themselves were paid for work not bid out for the community, vendor kickbacks, and board members being paid for being on the board when it was not allowed by the governing documents. One complaint reported that a foreclosure was started against their unit over an accounting dispute of only \$200.00 in late fees and fines.

While HB12-1237,⁴⁹ the retention and production of records bill, added clarity to defining what records an association must maintain and produce, the Center is still receiving a large number of complaints in nearly equal numbers from both condominiums and planned communities. These complaints consist of executive boards and managers ignoring an owner’s request for documents; not

⁴⁹ As codified in COLO. REV. STAT. § 38-33.3-317.

receiving requested association documents in a timely manner; homeowners being told that they are not allowed to see or receive documents that they are obviously entitled to under the CCIOA; and homeowners being informed that they will be billed an exorbitant cost for the production and copying of these records, even in cases where the association is required to produce certain information and documents on an annual basis at no charge to the homeowners pursuant to the CCIOA.

Also of concern to the Center is the number of complaints associated with homeowners reporting that they have been harassed, intimidated, or retaliated against by board members or the association's managing agent. These types of complaints were prevalent in both condominiums and planned communities. Many complaints concerning intimidation and harassment against an owner by one or more members of the board occurred after the owner complained or challenged board decisions. Sometimes this harassment was verbal in front of other owners at an association meeting, but more often, this behavior was more subtle, for instance using selective enforcement of some rule against the owner, or making false rule violation accusations against the owner by some allegedly anonymous person. The Center also received complaints from some owners that when the board or association manager found out a complaint had been filed against them with the Center, that owner became the object of retaliation. It was also reported a number of times that board members would simply state: "Go ahead and sue us, we have attorneys", or "There is no enforcement against us as board members." More than a few complainants informed the Center that continual harassment from one or more board members have forced them to sell and move out of the community.

Finally, the Center has been receiving more complaints this past year about common interest communities not registering or renewing their registration with the Division of Real Estate as required by the CCIOA, and that HOAs are not registering with correct information.

COMPLAINTS

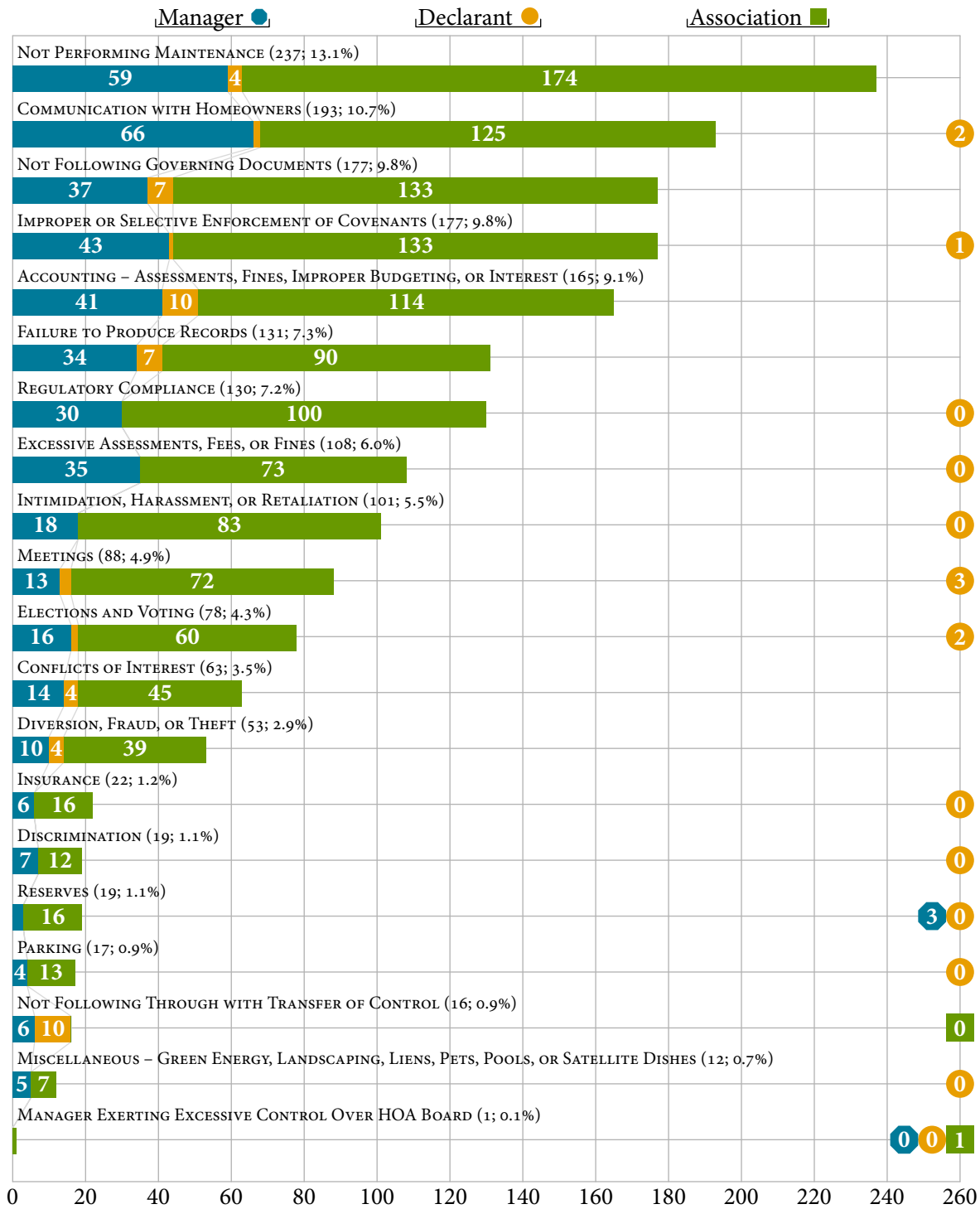


Figure 6.4 Chart of all complaints submitted to the HOA Information and Resource Center, by type.

ACCOMPLISHMENTS AND OBJECTIVES

7.1 REVIEW OF 2015

Throughout 2015, the HOA Information and Resource Center has endeavored to make its website more relevant and useful for homeowners, HOA board members, and other interested parties. Providing pertinent State and Federal law and other resources online in one place is a priority for the Center. The website contains statutes, bills affecting HOA law, educational materials (including electronic slide shows), legal and alternative dispute resolution resources, and a frequently asked questions section. Highly ranked by major search engines for relevant queries, the Center's website experienced significantly increased web traffic during 2015.

Besides handling nearly 7,000 inquiries for information and assistance, the Center has participated in over fifty public HOA forums, seminars and conferences, including senior fairs and town hall meetings. Guest presenters and article writers have added to the Center's educational efforts and resources.

A wide variety of topics at HOA forums were presented, including an interactive session with professional mediators that discussed the benefits of mediation concerning HOA disputes, and joint presentations with the Colorado Division of Civil Rights regarding housing discrimination in HOAs. Teaming up with the Jefferson County Sheriff's Department, the Center held some joint forums and presentations on safety in HOA communities. In addition, the Center held forums on senior issues in HOAs and presented an informational webinar with AARP concerning one's rights and responsibilities when living in an HOA. The Center has also published on its website, as presented to the Legislature, a report in detailing the *2013 Study of Comparable HOA Information and Resource Centers*⁵⁰ that takes into consideration input by the public on ways that the Center can provide greater assistance to homeowners who experience a broad spectrum of problems with HOAs.

7.2 DIRECTION OF THE CENTER IN 2016

Homeowners and executive directors have continued to express the need for more educational materials covering HOAs that cater to non-professionals and self-managing boards of directors. The Center is investigating ways that new technology can bring this education to more people in HOAs, and aims to broaden its educational offerings with practical and concise information for homeowners and HOA board members. Collaborating with other government agencies and industry groups and professionals will also be a priority for the Center. The Center will also continue to increase its outreach through public service announcements, webinars, and attending and arranging for events by the Officer in cities and towns throughout Colorado.

The continued lack of knowledge about the Center and its functions remains an area of concern. The Center is continuing its efforts to inform the public about its existence and availability to assist those with HOA questions and concerns. HOA workshops, educational sessions, forums, and the availability of additional educational materials for homeowners will continue to be goals of the Center. Finally, should legislation be enacted that concerns additional functions and duties of the Center, it would be eager to undertake any efforts necessary to offer the best service possible.

⁵⁰ A copy of this report is available on the Division's website.