



COLORADO

**Department of
Regulatory Agencies**

Division of Real Estate

2025 Legislative Summaries:

Presented By The Colorado
Division of Real Estate



Disclaimer

The summaries contained in this presentation are not intended to be, nor should they be considered legal advice.

The presentation is offered for educational purposes only.

If you have any legal questions, you should consult with your employing broker, your compliance officer, or a qualified and licensed Colorado attorney.

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Real Estate Brokers

SB25-016

Updating Escrow Disbursement Practices

Sponsors: Senator Marc Snyder, Representative Andrew Boesenecker, Representative Ron Weinberg

Signed Date: March 20, 2025

Effective Date: August 1, 2025



Funds that are “available for immediate withdrawal” are required for real estate transactions.

The bill states that a certified check, cashier’s check, teller’s check, or any other instrument, as is defined in federal law at 12 CFR 229.10(c), is available for immediate withdrawal. The definition also includes that a real-time or instant payment made through a funds-transfer service operated by the Federal Reserve or the Clearing House payments Company’s real-time payment system is available for immediate withdrawal.

A wire transfer is defined as a transfer that was “made through a funds-transfer service operated by the Federal Reserve or the Clearing House Payments Company.”



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Landlord/Tenant and Property Management



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HB25-1108

Prohibitions in Rental Agreements Due to Death

Sponsors: Representative Ron Weinburg, Representative Javier Mabrey, Senator Barbara Kirkmeyer, Senator Jeff Bridges

Signed Date: June 6, 2025

Effective Date: September 1, 2025



Bill nickname: Letty's Act

A rental agreement is terminated before the end of the term due to the death of a tenant. The following clauses are void and unenforceable:

1. The payment of liquidated damages.
2. The acceleration of rent for a period that is beyond the end of the month or more than ten (10) business days after the dwelling unit is vacated after notice to the landlord of the death of the tenant, whichever is later.
3. The payment or refund to the landlord of any concessions or move-in discounts.
4. The payment or any fee, damages, or penalty for early termination.

HB25-1108

A landlord may take possession of a dwelling unit without filing an eviction action in court if:

1. The personal representative of the tenant's estate notifies the landlord of the surrender of the premises, or
2. Thirty (30) days after the death of the tenant if:
 - Rent remains unpaid, or
 - Substantially all of the tenant's property has been removed.

If the death of the tenant results in damage to the premises, the landlord is permitted to retain the security deposit sufficient to cover the costs related to the damage caused by the death of the tenant.



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HB25-1168

Housing Protections for Victim- Survivors

Sponsors: Representative Mandy Lindsay, Representative Cecelia Espenoza, Senator Mike Weissman

Signed Date: May 22, 2025

Effective Date: May 22, 2025, except for sections 3, 5, 6, 7, 8, and 11 of the act which take effect August 6, 2025

HB25-1168

(continued 01)

Unlawful Detention of a premises is now defined to NOT INCLUDE when a victim-survivor of unlawful sexual behavior, stalking, domestic violence of which the unlawful sexual behavior, stalking, domestic violence, or domestic abuse was the cause of or contributed to the alleged unlawful detention AND it has been documented by at least one of the following:

1. A police report;
2. A valid civil, criminal, or emergency protection order or restraining order;
3. A self-attestation affidavit supporting the claim of unlawful sexual behavior, stalking, domestic violence, or domestic abuse;
4. A third-party letter supporting the claim of unlawful sexual behavior, stalking, domestic violence, or domestic abuse.

Therefore, in the event of non-payment of rent resulting from this, a person who has notified the landlord is not guilty of unlawful detention.

HB25-1168

(continued 02)

Repayment Plan Required: The landlord shall offer the tenant a repayment plan no later than three business days after:

1. Serving a demand for unpaid rent or
2. No later than three business days after receiving the notification discussed on the prior slide.

Tenant shall have seven days after receipt to accept or propose an alternative repayment plan.

The Plan:

1. Must provide that the tenant fully repays all lawfully owed rent
2. Must make monthly payments on a monthly basis of at least \$25.00 per month.
3. MAY NOT charge any fees, interest, or penalties.
4. May be for a duration of up to 9 months from the date the plan is established
5. *May be for a duration longer than 9 months by mutual agreement of the tenant and landlord.*

HB25-1168

(continued 03)

Repayment plan (continued):

If tenant fails to make a payment or makes three or more untimely payments, the landlord may serve notice on the tenant no sooner than seven days after the payment is untimely or is not made.

In such a case, the tenant shall pay all rent that has been unpaid, or the landlord may file a motion for judgment for possession.

- Lease agreement cannot waive these protections.
- Landlord cannot inquire as to an applicant's status as a victim-survivor.
- Tenant may change locks. Landlord may not prevent changing locks, may not impose fees, or take adverse action for changing the locks or taking other reasonable safety precautions.

HB25-1240

Housing Protections for Tenants With Housing Subsidies

Sponsors: Representative Junie Joseph, Representative Meg Froelich, Senator Faith Winter, Senator Katie Wallace

Signed Date: May 29, 2025

Effective Date: May 29, 2025





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HB25-1240

(continued 01)

This bill requires that the landlord may not require the tenant to vacate a dwelling unit pursuant to a residential lease before 30 days after the notice to vacate.

If a tenant proves a violation of the warranty of habitability, the landlord shall be ordered to reimburse the tenant “any difference in rent between the reduced fair rental value and any greater amount of rent that was paid”, clarifying that such reimbursement shall take place regardless of whether part or all of the rent was paid by the tenant or by a housing subsidy issued to the tenant.



HB25-1240 (continued 02)

The bill also expands the definition of unfair housing practices. It is now prohibited for a landlord to fail:

1. To make reasonable efforts to timely respond to requests for information and documentation necessary for a rental assistance application process; or
2. To cooperate with a tenant who is applying for rental assistance in good faith, including by refusing to provide documents that are required by a state government agency, a local government agency, or other administering entity to support the tenant's application.

Sponsors: Representative Naquetta Ricks,
Representative Jennifer Bacon, Senator Tony Exum,
Senator Jessie Danielson

Signed Date: June 3, 2025

Effective Date: January 1, 2026

HB25-1249

Tenant Security Deposit Protections



HB25-1249

(continued 01)

The definition of “Normal wear and tear” has been clarified to mean deterioration, DAMAGE, OR UNCLEANLINESS, that occurs, based upon the use for which a rental unit or mobile home space, as defined in section 38-12-201.5(6.5), is intended OR REASONABLY AND TYPICALLY USED, without negligence, carelessness, accident, or abuse of the premises or equipment or PRIVATE PROPERTY by the tenant or home owner or members of the tenant’s or home owner’s household or their invitees or guests. “NORMAL WEAR AND TEAR” DOES NOT INCLUDE UNCLEANLINESS THAT RENDERS A DWELLING UNIT SUBSTANTIALLY LESS CLEAN THAN THE DWELLING UNIT WAS WHEN THE LEASE BEGAN.

Security deposits shall be returned within 30 days, but an exception still allows for a period up to sixty days, if so stated in the lease.



HB25-1249

(continued 02)

If landlord wrongfully retains security deposit, landlord may be subject to treble damages. The tenant must first notify landlord at least 7 days before filing a legal action.

Landlord's bad faith is defined as:

1. Unreasonably exceeds the amount of actual damages the landlord incurred. "Unreasonably exceeds" is presumed to be an amount retained which is 125% or greater than the actual damages incurred.
2. Retains all or a part of the security deposit without actual cause existing for the retention of the amount.
3. Knew or should have known that the amount the landlord retained exceeded the actual damages the landlord incurred or would incur.
4. Retains all or a part of the security deposit solely or in part for an unlawful, retaliatory, or discriminatory purpose.



HB25-1249

(continued 03)

During the lease term, if the landlord transfer's ownership of the premises to other, the landlord shall:

1. Transfer the funds to the landlord's successor in interest and notify the tenant by mail of such transfer and of the transferee's name and address, or
2. Return the funds, or any remainder after lawful deductions to the tenant.

Sponsors: Senator Mike Weissman, Senator Julie Gonzalez, Representative Mandy Lindsay, Representative Javier Mabrey

Signed Date: May 28, 2025

Effective Date: August 6, 2025



SB25-020

**Tenant and Landlord
Law Enforcement**

If a person is acting on the behalf of the attorney general to investigate a violation of any state law, the person may request access to a suppressed court record. Access to records may be used to bring civil or criminal actions regarding:

1. Part 4 of Article 12 of Title 38-Victims of Unlawful Sexual Behavior, Stalking, Domestic Violence, and Domestic Abuse;
2. Part 8 of Article 12 of Title 38-Required Documentation;
3. Part 10 of Article 12 of Title 38-Bed Bugs in Residential Premises.

- The Attorney General may request injunctive relief.
- Counties, cities, municipalities may initiate civil actions.
- Receiverships are authorized to remedy legal violations.



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Sponsors: Representative Emily Sirota, Representative Ricks, Senator Mike Weissman, Senator Lisa Cutter

Signed Date: April 21, 2025

Effective Date: January 1, 2026

HB25-1090

Protections Against Deceptive Pricing Practices

RESIDENTIAL LEASE AGREEMENT

1. **PARTIES.** This Residential Lease Agreement ("Agreement") made this _____ is between:
Landlord Name: _____
with a mailing address of: _____
("Landlord"), AND
Tenant Name(s): _____
("Tenant(s)").
Landlord and Tenant are each collectively referred to as the "Parties."

2. **PROPERTY.** The Landlord agrees to lease the described property to the Tenant:
Address: _____
("Premises").
Residence Type: ☐ Single-family ☐ Apartment ☐ Condominium ☐ Other: _____

3. **TERM.**
The Agreement shall begin on _____ and end on _____
("Term").

4. **RENT.**
The Tenant shall pay the Landlord in equal monthly installments of \$ _____
("Rent").
Rent shall be due on the _____ of every month and paid under the following instructions: _____

5. **SECURITY DEPOSIT.** The Tenant (check one):
☐ Shall deposit with the Landlord the sum of \$ _____ as security for the Tenant, less any _____ damage caused to the Premises during the _____

The bill explains that residential leases and advertising must clearly and conspicuously disclose pricing.

A written rental agreements must not include:

1. Any provision requiring the tenant to pay a markup fee for a service for which the landlord is billed, except that landlord may require a tenant to pay either a markup or fee in an amount that does not exceed two percent of the amount that the landlord was billed or a markup or fee in an amount that does not exceed a total of ten dollars per month, but not both.
2. Any provision requiring the tenant to pay a fee, charge, or amount that violates any part of section 6-1-737, C.R.S, which was created expressly by the bill.

HB25-1236

Residential Tenant Screening

Sponsors: Representative Mandy Lindsay,
Representative Yara Zokaie, Senator Mike Weissman,
Senator Iman Jodeh

Signed Date: June 3, 2025

Effective Date: January 1, 2026



A Portable Tenant Screening Report is a consumer report prepared at the request of a prospective tenant that includes information provided by a consumer reporting agency including a variety of information.

For a prospective tenant seeking to rent with the assistance of a housing subsidy, a credit history report, a credit score, or an adverse credit event is not required to be included in the portable tenant screening report.



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Real Estate Appraisers

SB25-035

Limitations of Actions Against Appraisers

Sponsors: Senator Lisa Frizell, Senator Dafna Michaelson Jenet, Representative Chad Clifford, Representative Ron Weinberg

Signed Date: May 31, 2025

Effective Date: August 6, 2025



SB25-035 establishes that an action against a real estate appraiser must be brought within five (5) years after the date of the appraisal report except for:

1. A consumer who is an original party to the residential mortgage loan or residential real estate transaction.
2. A mortgage loan originator who must repurchase the loan.

Fraud or knowing and intentional misrepresentation actions against an appraiser must be brought within three (3) years.

Discriminatory housing practice actions must be brought within one (1) year.

SB25-035



Common Interest Communities: HOAs, POAs, Condominiums, and Cooperatives

Sponsors: Senator Lisa Cutter, Senator Mike Weissman,
Representative Naquetta Ricks

Signed Date: May 24, 2025

Effective Date: August 6, 2025

SB25-184

Sunset HOA Information & Resource Center



The HOA Information and Resource Center was created in 2011 and serves as a resource for consumers to understand their basic rights and responsibilities under the Colorado Common Interest Ownership Act ("CCIOA"). The HOA Center also registers Common Interest Communities (like HOAs, POAs, Condominiums, Cooperatives, and Timeshares) and tracks complaints.

The HOA Center is a program of the Colorado Division of Real Estate which is a part of DORA.

The HOA Information and Resource Center will continue for a period of five (5) years-until September 1, 2030.

Important Note: the authority and directives of the HOA Center remain unchanged.

HB25-1043

Owner Equity Protection in Homeowners' Association Foreclosure Sales

Sponsors: Representative Naquetta Ricks,
Representative Jennifer Bacon, Senator Tony
Exum

Signed Date: June 4, 2025

Effective Date: October 1, 2025





HB25-1043

(continued 01)

1. Associations are required to maintain certain governance policies. Of those required policies, boards will have to update their Collections policy to include three (3) advisements prior to collections actions.
2. New notice requirements on foreclosure actions.
3. Delinquent owner may “stay” (halt) the foreclosure action.
4. Additional information required by DORA for HOA registrations, as discussed on the next slide.
5. “Strict” vs. “Substantial” compliance. Strict compliance is required.

HB25-1043

(continued 02)

Beginning October 1, 2025, all HOAs must report the following information to the HOA Information and Resource Center as part of the state's annual HOA registration requirement:

1. In the twelve (12) month period prior to registration, the number of unit owners that were at any time six (6) or more calendar months delinquent in the payment of an annual assessment or special assessment
2. In the twelve (12) month period prior to registration, for unpaid assessments or special assessments or related fees or attorney fees:
 - a. The number of unit owners against which the association or its designee obtained a judgment;
 - b. The number of payment plans entered into between the association and a unit owner pursuant to section 38-33.3-316.3; and
 - c. The number of foreclosure actions filed against unit owners pursuant to 38-33.3-316.

HB25-1113

Limit Turf in New Residential Development

Sponsors: Representative Lesley Smith, Representative Karen McCormick, Senator Dylan Roberts

Signed Date: May 20, 2025

Effective Date: August 6, 2025





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HB25-1113

On or after January 1, 2026, local entities may not install, plant, or place, or allow a person to install, plant, or place, nonfunctional turf, artificial turf, or invasive plant species on the common elements within Common Interest Communities (like HOAs, POAs, Condominiums, or Cooperatives) with more than twelve (12) dwelling units.

A local entity may still install, plant, or place, or allow a person to install, plant, or place, this type of landscaping on HOAs with twelve (12) or fewer dwelling units.



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Insurance



HB25-1182

Risk Model Use in Property Insurance Policies

Sponsors: Representative Titone, Representative Brown,
Senator Cutter, Senate Simpson

Signed Date: May 28, 2025

Effective Date: July 1, 2025



There are a variety of mitigating steps that property owners can take to lower costs of insurance in Colorado and policyholders commonly undertake property-specific mitigation actions.

Insurance companies must develop models to estimate potential losses from catastrophic events (fire, floods, hail, earthquakes, etc.).

Insurers must post on their websites information about premium discounts, incentives, or other premium adjustments for mitigation efforts.



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HB25-1322

Enforce Insurer Compliance Requests Insurance Policy



Sponsors: Representative Michael Carter, Representative Cecelia Espenoza, Senator Tony Exum, Senator Dylan Roberts

Signed Date: June 3, 2025

Effective Date: August 6, 2025

Policyholders are permitted to request a certified copy of the policyholder's insurance policy and insurance carriers must provide a certified copy within 30 days after a written request.

Penalties: If an insurance carrier fails to provide a certified copy, beginning on the 31st day after the request, the insurance carrier is liable for a penalty of \$50.00 per day until the carrier provides a certified copy of the insurance policy.

The insurance carrier may also be responsible for reasonable attorney fees and costs in court.



HB25-1205

Implement Fair Access to Insurance Requirements Plans

Sponsors: Representative Julie McCluskie, Representative Kyle Brown, Senator Judy Amabile, Senator Dylan Roberts

Signed Date: April 17, 2025

Effective Date: April 17, 2025





In 2023, the Colorado General Assembly implemented the Fair Access to Insurance Requirements Plan (the “FAIR Plan”) to offer an insurer of last resort for those that cannot obtain insurance otherwise. The bill clarifies that:

1. The association created by the FAIR Plan is not a part of the state government (not a department, unit, agency, political subdivision, or instrumentality of the state).
2. The association created by the FAIR Plan is not an insurance company or person engaged in the business of insurance.

Accordingly, policyholders have limited causes of action including:

1. Breach of contract,
2. Breach of the common law covenant of good faith and fair dealing.

For more information, visit: <https://www.coloradofairplan.com/>



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General Laws Affecting The Real Estate Industry and The Public

HB25-1219

Requirements For Better Understanding Metropolitan Districts

Sponsors: Representative Jacque Phillips,
Representative Carlos Barron, Senator Kyle Mullica,
Senator Lisa Frizell

Signed Date: May 29, 2025

Effective Date: August 6, 2025



Metropolitan Districts are already required to hold meetings at least annually. Notice for these meetings is required.

1. Residents must be notified by mail, at the lowest-cost option, to eligible electors within the metropolitan district, or
2. Sent by electronic mail to an address provided by the eligible elector for the purpose of receiving communications from the metropolitan district.

Notice must also be posted on the homepage of the metropolitan district or accessible by a link on the homepage.

The District must provide a process for contact regarding services in the District, both during and after hours.



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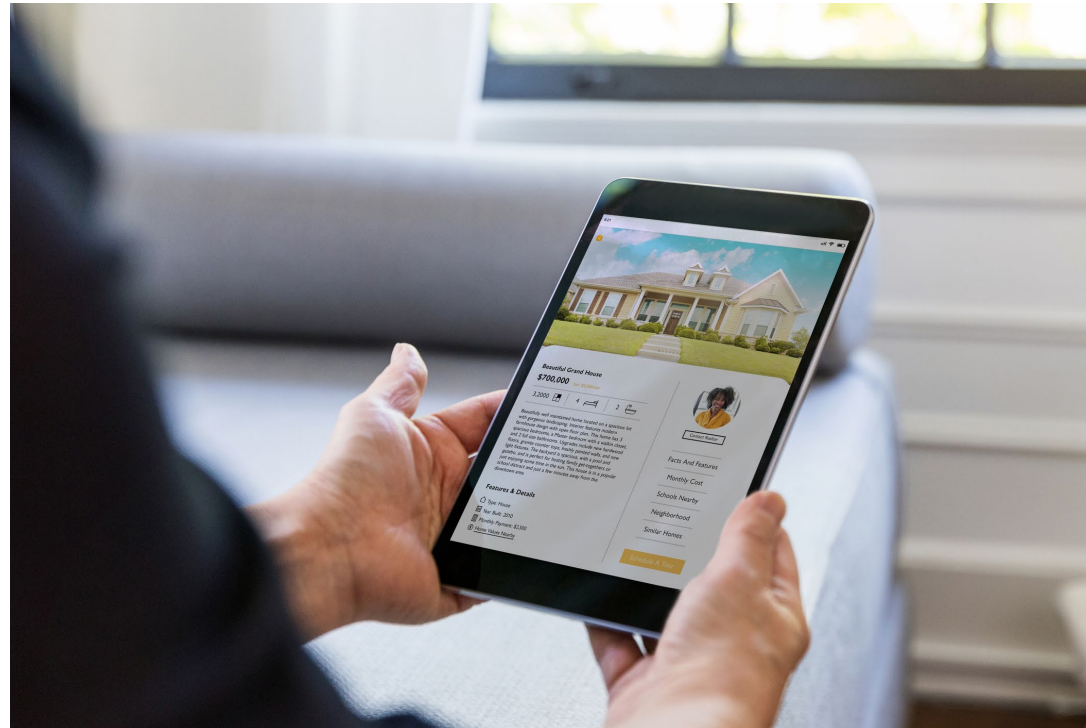
HB25-1019

Third-Party Administration of Division of Housing Programs

Sponsors: Representative Emily Sirota, Senator Nick Hinrichsen

Signed Date: March 7, 2025

Effective Date: March 7, 2025



HB25-1019

To ensure that funds identified for people experiencing homelessness are efficiently used, law establishes a support fund to serve persons experiencing homelessness within the Department of Local Affairs (“DOLA”).

This program provides rental assistance, housing vouchers and eviction defense assistance.

For more information: <https://doh.colorado.gov/>

HB25-1077

Backflow Prevention Devices Requirements

Sponsors: Representative Sheila Leider,
Representative Naquetta Ricks, Senator Dylan
Roberts, Senator Janice Rich

Signed Date: March 28, 2025

Effective Date: March 28, 2025



HB25-1077

The Act exempts licensure requirements for individuals inspecting, testing, or repairing backflow prevention devices.

Individuals who engage in the installation or removal of backflow prevention devices are not exempt from licensure requirements except when the individuals are installing or replacing a backflow prevention device on a stand-alone fire suppression system, as defined in section 24-33.5-1202(6), C.R.S.

Sponsors: Representative Junie Joseph, Representative Rebekah Stewart, Senator Lisa Cutter, and Senator Faith Winter

Signed Date: March 11, 2025

Effective Date: January 1, 2026



HB25-1030

Accessibility Standards in Building Codes

The State of Colorado continues to pave the way for other states in the nation regarding accessibility.

The law requires that all local building codes in the state align with the internationally recognized standards set forth in the International Building Code (IBC) and existing federal laws for all new construction, renovations, and alterations for minimum accessibility requirements.

Exception: The law for one-family and two-family dwellings and townhomes, provided that the local building code already has accessibility standards equivalent to the accessibility standards in the International Residential Code (IRC).



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HB25-1053

Landowner Immunity for Emergency Access to Property

Sponsors: Representative
Tisha Mauro, Representative
Ron Weinburg, Senator Janice
Marchman, Senator Mark
Baisley

Signed Date: March 20, 2025

Effective Date: August 6, 2025



Limits landowner liability for injury of emergency personnel during an emergency when the landowner is acting:

1. In good faith, and
2. Without compensation

An Emergency is:

1. A fire, rescue call, or hazardous materials incident;
2. A natural or human-caused disaster such as an earthquake, wildfire, flood, or severe weather event; or
3. An incident reasonably determined to be an emergency by a first responder

Limitation: Does not protect a landowner from acts or omissions that are grossly negligent, nor does the law protect from willful and wanton behavior.

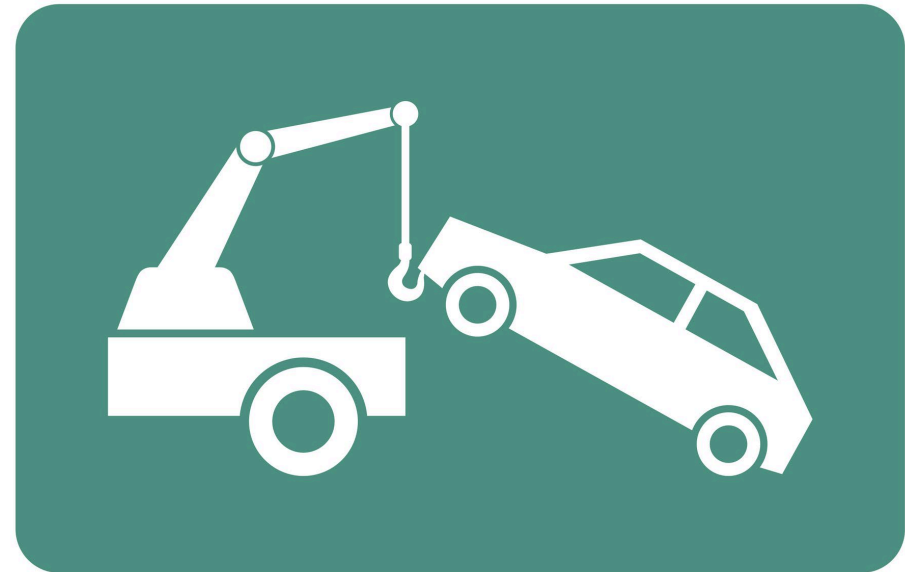
SB25-175

Sunset Bill Towing Task Force

Sponsors: Senator Julie Gonzales, Representative Andrew Boesenecker, Representative Tisha Mauro

Signed Date: May 30, 2025

Effective Date: August 6, 2025



The Towing Task Force makes recommendations to the Public Utilities Commission (the “PUC”), which is a division of the Department of Regulatory Agencies (“DORA”). Recommendation may pertain to:

1. Maximum towing rates
2. Nonconsensual tows
3. Overcharges and violations of towing law
4. Investigations of towing carriers

The Towing Task Force will continue for a period of ten (10) years-until September 1, 2035.



HB25-1117

Vehicle Immobilization Company Regulation

Sponsors: Representative Junie Joseph, Representative Andrew Boesenecker, Senator Julie Gonzales, Senator Mike Weismann

Signed Date: June 3, 2025

Effective Date: June 3, 2025



“Vehicle immobilization” is commonly understood to be the action of placing a “boot” on a vehicle, which would prevent the vehicle from moving, thereby “immobilizing” it.

The vehicle owner must be given notice at least twenty-four (24) hours prior to immobilization.

The company performing the vehicle immobilization service must obtain consent from the property owner of the private property where the immobilization is to occur prior to immobilizing a vehicle.

Consent:

1. Cannot be pre-approved or automated
2. Must be obtained for each individual vehicle immobilization by utilizing a form created by the Colorado Public Utilities Commission (the “PUC”).

HB25-1272

Construction Defects & Middle Market Housing

Sponsors: Representative Shannon Bird, Representative Andrew Boesenecker, Senator James Coleman, Senator Dylan Roberts

Signed Date: May 12, 2025

Effective Date: August 6, 2025





A homebuilder (or “developer”) may choose to participate in a program that offers a homebuyer a warranty and inspection by a neutral third-party inspector in exchange for additional protections from construction-defect claims.

Next, for Common Interest Communities:

1. To file a construction defect claim on behalf of the owners, an association’s executive board must obtain sixty-five (65) percent owner approval, compared to the previous requirement of a simple majority.
2. If an executive board prevails in the said claim, any monetary damage received must first be used to repair the construction defect.