

HOA Forum: HOA Meetings

Friday, December 19, 2025

H O A

Thank you for joining. We will begin momentarily.

HOA Information & Resource Center

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Housekeeping Items



REMINDER



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Disclaimer:

The information provided during this presentation is for educational purposes only and is not meant to provide, nor should it be construed as legal advice.

Any legal questions should be directed to a qualified attorney licensed in Colorado.



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What Is the HOA Information & Resource Center?

- What the HOA Information & Resource Center does:
 - Provides information to homeowners regarding their basic rights and responsibilities under the Colorado Common Interest Ownership Act (“CCIOA”).
 - Gathers, analyzes, and reports information through complaints and HOA registrations.
 - Creates resource materials.
 - Provides education and forums.
 - Provides a website with information for the public.
 - Registers HOAs pursuant to §38-33.3-401(1), C.R.S.
 - Provides an Annual Report to the Legislature.



What Is the HOA Information & Resource Center? (con't)

- What the HOA Information & Resource Center does not do:
 - Does not mediate or arbitrate on behalf of homeowners, board members, or community association managers.
 - Does not act as a regulatory program.
 - Does not provide legal advice.
 - Does not investigate or intervene in disputes that arise between homeowners or associations.
 - Does not assess fines or penalties.
 - Does not enforce an HOA's failure to register.



Neutral and Unbiased

- In our efforts to carry out the mission of this office, the HOA Center strives to remain balanced, independent, and unbiased when responding to inquiries and educating the public.



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Overview:

- CCIOA Overview
- What is a homeowners meeting?
- What are the various types of HOA meetings?
- How frequently should they be held?
- Are there notice requirements?
- Minutes/agendas?
- What does state law have to say about it?
- Quorum Scenarios
- Best practices and pro tips
- Q&A Session



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What is “CCIOA”?

- The Colorado Common Interest Ownership Act (“CCIOA”).
- Became effective July 1, 1992.
- Colorado law governing the formation, operation, and management of common-interest communities (or “HOAs”).
- §§38-33.3-101, *et seq.* (all that follows).
- Recently, has been amended quite a bit following debate and legislation at the Colorado capitol.
- Publicly available to review (see next slide), or by requesting a copy from the HOA Information & Resource Center.



Example of CCIOA Being Amended (from HB22-1137)

SECTION 1. In Colorado Revised Statutes, 38-33.3-209.5, **amend** (2)(a), (5)(a) introductory portion, and (5)(a)(V) introductory portion; and **add** (1.7), (2)(c), (6), (7), (8), (9), and (10) as follows:

38-33.3-209.5. Responsible governance policies - due process for imposition of fines - procedure for collection of delinquent accounts - enforcement through small claims court - definitions. (1.7) (a) **WITH**

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.



How to Find CCIOA (Lexis Nexus)

- An important free legal resource available to the public can be accessed at: <https://leg.colorado.gov/>. At this link, you can pull up the latest copy of the Colorado Common Interest Ownership Act (“CCIOA”). To start:
 - 1) Hover over “Laws” at the top and a menu will appear.
 - 2) Scroll down and click “Colorado Revised Statutes”.
 - 3) On the next page, select “Click Here To Access The Colorado Revised Statutes Hosted By LexisNexis”.
 - 4) Scroll down to where you can see the Titles listed numerically, beginning with “Title 1. Elections”
 - 5) CCIOA is found in Title 38. Property - Real and Personal (§§38-1-101 --- 38-53-110). Click the “+” icon next to Title 38 to expand the Articles.
 - 6) Next, click the “+” icon next to Real Property (§§38-30-101 – 38-46-104) to expand the sections further.
 - 7) Next, click the “+” icon next to Interests in Land (Arts. 30 – 34)
 - 8) Next, click the “+” icon next to Article 33.3. Colorado Common Interest Ownership Act (Pts. 1 – 4)
 - 9) This is where you may view the various parts (1-4) of CCIOA, including Part 1. General Provisions, Part 2. Creation, Alteration, and Termination of Common Interest Communities, Part 3 Management of the Common Interest Community, and Part 4 Registration.

What is a Homeowner's Meeting?

- A forum or assembly where the executive board (the “board members”) and unit owners (the “homeowners”) meet to discuss business, veto the budget, hold elections, and help foster a sense of community.
- A meeting is not official, and business can not be conducted or votes can not be taken, until quorum has been met.
- Board meetings must be properly noticed to the unit owners in accordance with any requirements in the governing documents, and an agenda must be made “reasonably available” for examination by the owners (C.R.S. §38-33.3-308(2)(a)).
- Not formally defined in CCIOA.

What Are The Main Types of Homeowners Meetings?

Annual
Owners

Board

Special

Unit Owners', or 'Homeowners'

- **C.R.S. §38-33.3-308. Meetings.**
- Shall be held at least once per year.
- Not less than ten (10) nor more than fifty (50) days in advance of any meeting of the unit owners, the secretary or other officer specified in the bylaws shall cause notice to be hand delivered or sent prepaid by U.S. mail to the mailing address of each unit or to any other mailing address designated in writing by the unit owner.
- Notice of any meeting of the unit owners shall be physically posted in a conspicuous place, to the extent that such posting is feasible and practicable.
- ❖ Can the board email the annual meeting notice? Absolutely, but it must ensure it is also being sent prepaid by U.S. mail per CCIOA.



Unit Owners', or 'Homeowner s' (con't)

- The notice shall state the time and place of the meeting and the items on the agenda, including the general nature of any proposed amendment to the declaration or bylaws, and budget changes, and any proposal to remove an officer or member of the executive board.
- State law encourages associations to provide all notices and agendas in electronic form (email), or by posting on a website. If such means are available, and if a unit owner so requests and furnishes their email address to the association, then the association shall provide notice of all regular and special meetings of unit owners by email.



Board

- **C.R.S. §38-33.3-308. Meetings.**
- No state requirement as to the frequency of board meetings, however, the executive board may call as many board meetings as needed to achieve its goals.
- All regular and special meetings of the association's executive board (or any committee thereof) shall be open to attendance by all members of the association or their representatives.
- Agendas for meetings of the executive board shall be made reasonably available for examination by all members of the association or their representatives.
- Typically follows "Roberts Rules of Order", though can vary from community to community.



Special

- **C.R.S. §38-33.3-308. Meetings.**
- No state requirement as to the frequency of special meetings, however, the community may call as many special meetings as needed to achieve its goals.
- May be called by: (1) the **president**, by (2) a **majority of the executive board**, or by (3) **unit owners having twenty percent** (or any lower percentage specified in the bylaws) **of the votes of the association.**
- Same notice requirements as Unit Owners' Meetings.

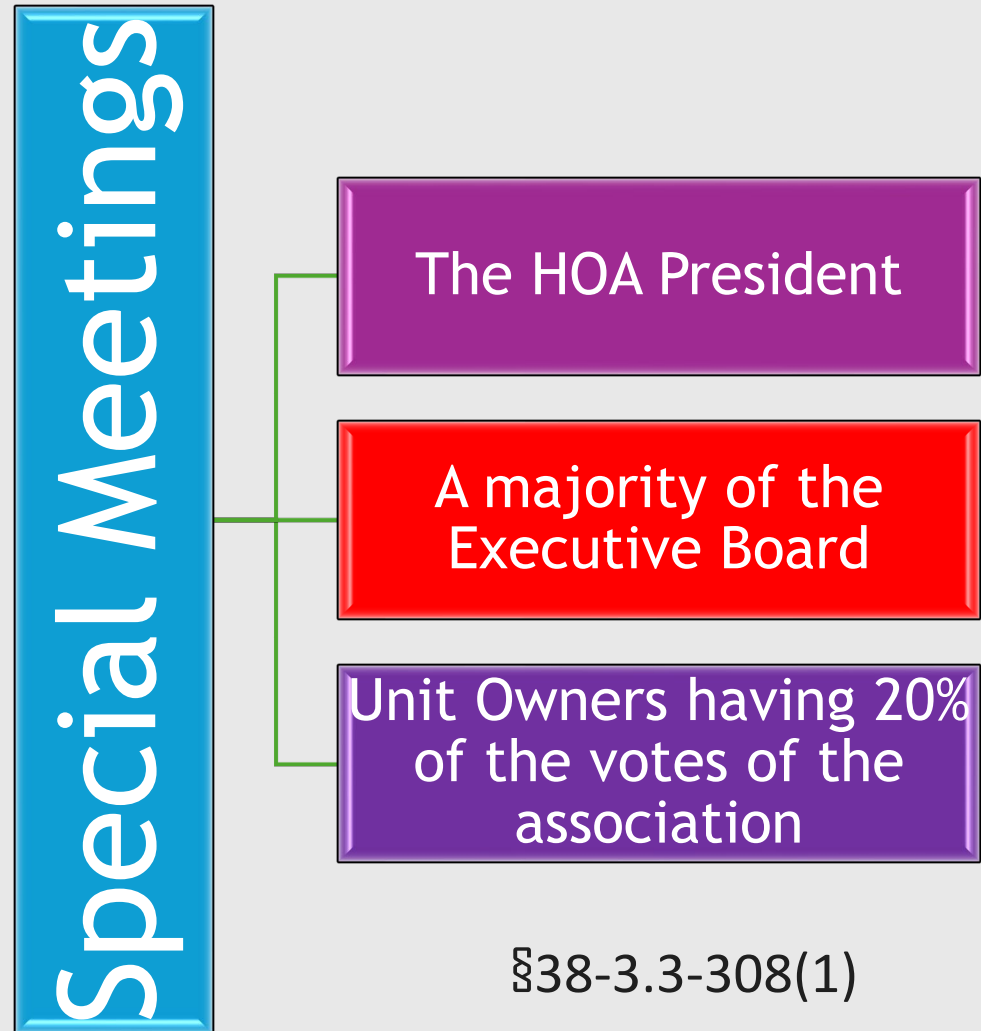
Special (con't)

- If a unit owner requests annual or special meeting notice be delivered by email (and provides the association with a valid email address), the association must accommodate the request.
- For notice of special meetings, the association must provide notice as soon as possible, but AT LEAST twenty-four (24) hours before the meeting.
- See C.R.S. §38-33.3-308(2)(b)(I).

Special (con't 2)

- Why might a special meeting be called?
 - Board recall
 - Discuss a certain issue
 - Consider an extraordinary, unplanned emergency event or expense
- Owner requests for a special meeting must be in writing and signed by the owners, per the Colorado Nonprofit Act.
- The Colorado Nonprofit Act permits an owner signing the demand to set the time and place of the special meeting and give notice to the community if the association fails to act within thirty (30) days of receiving a valid demand.

How to Call a Special Meeting



§38-3.3-308(1)

Virtual Meetings

- Authorized by the Colorado Nonprofit Corporation Act
- Board members must be able to hear each other. C.R.S §7-128-201.
- Must be open to owners or their designated representatives.
- Existing board meeting notice requirements (if any) must be followed. If there are board meeting notice requirements, a link to the virtual meeting must be provided to the owners so they can join.
- Same quorum requirements apply.
- Board member votes need to be clear and obvious so the owners may confirm how each board member voted.

Virtual Meetings (con't)

- It is permissible to restrict owner comments to a reasonable amount of time (i.e., 3-5 minutes) on each respective issue being voted on to ensure business can be conducted and the meeting can conclude at a reasonable time. Make sure this is clearly stated in the conduct of meetings policy.
- Executive sessions - review the platforms ability to create a private room that is separate from the owners.
- What about muting? If an owner exceeds their allotted time, or becomes unruly or disruptive to the meeting proceedings, a board might consider utilizing the mute option.

‘Miscellaneous’ HOA Meetings

- Budget
 - Committee
 - Architectural Review
-
- ✓ All must still be open to the members and members must be allowed to participate.
 - ✓ Committee members may enter in to Executive Session during a committee meeting, similar to how board members may in a board meeting.

Q&A Round 1



What is a “Quorum”?

- Oxford dictionary defines quorum as “the minimum number of members of an assembly that must be present at any of its meetings to make the proceedings of that meeting valid.”



Quorum Requirements for Annual Owners' Meetings and Special meetings

- The specific requirements for quorum will FIRST be found in the association's bylaws.
- IF the bylaws are **silent** on quorum requirements, then...
- ...a quorum is deemed present if persons entitled to cast twenty (20) percent (or, in the case of an association with over one-thousand unit owners, ten (10) percent) of the votes which may be cast for election of the executive board are present, in person **or by proxy** at the beginning of the meeting.

Quorum Requirements for Executive Board Meetings

- Unless the bylaws specify a larger percentage, a quorum is deemed present throughout any meeting of the executive board if persons entitled to cast **fifty percent** of the votes on that board are present at the beginning of the meeting or grant their proxy, as provided in section C.R.S. §7-128-205(4)

What is a Proxy?

- Permits a unit owner to vote without needing to be physically present at the meeting.
- A member (or unit owner) may appoint a proxy by signing an appointment form. See C.R.S. §7-127-203(2)(a).
- The proxy must be dated or it is considered void under CCIOA.
- CCIOA mandates that a proxy may only be valid for a maximum of eleven (11) months from the date of execution.
- The Colorado Nonprofit Act authorizes the board to reject a proxy signature if the board, acting in good faith, has reason to doubt the validity of the signature or the signatory's authority to sign for the member.

What is an Executive Session?

- The members of the executive board (or any committee thereof) may hold an executive, or 'closed door', session and may restrict attendance to executive board members and such other persons requested by the executive board during a regular or specially announced meeting or a part thereof.



What is an Executive Session? (con't 1)

- Prior to the time the members of the executive board (or any committee thereof) convene in executive session, the chair of the body shall announce the general matter of discussion.
- No rule or regulation of the board (or any committee thereof) shall be adopted during an executive session. A rule or regulation may be validly adopted only during a regular or special meeting or after the body goes back into regular session following an executive session.



What is an Executive Session? (con't 2)

- No rule or regulation of the board (or any committee thereof) shall be adopted during an executive session. A rule or regulation may be validly adopted only during a regular or special meeting or after the body goes back into regular session following an executive session.
- The general matters of discussion at such an executive session shall include only matters enumerated in paragraphs (a) to (f) on the next few slides:



Matters to be Discussed in Executive Sessions:

- (a) Matters pertaining to employees of the association or the managing agent's contract or involving the employment, promotion, discipline, or dismissal of an officer, agent, or employee of the association;
- (b) Consultation with legal counsel concerning disputes that are the subject of pending or imminent court proceedings or matters that are privileged or confidential between attorney and client;
- (c) Investigative proceedings concerning possible or actual criminal misconduct;



Matters to be Discussed in Executive Sessions: (con't 1)

- (d) Matters subject to specific constitutional, statutory, or judicially imposed requirements protecting particular proceedings or matters from public disclosure;
- (e) Any matter, the disclosure of which would constitute an unwarranted invasion of individual privacy, including a disciplinary hearing regarding a unit owner and any referral of delinquency; except that a unit owner who is the subject of a disciplinary hearing or a referral of delinquency may request and receive the results of any vote taken at the relevant meeting; Before you can refer a delinquent owner for collections, a vote must be taken



Matters to be Discussed in Executive Sessions: (con't 2)

- (f) Review of or discussion relating to any written or oral communication from legal counsel.
- C.R.S. §38-33.3-308. Meetings.



Working Session

- Not defined in CCIOA, but not prohibited by CCIOA either (must still be in accordance with the HOA governing documents and policies).
- A working session is any ‘gathering’ of the unit owners, board members, or any other HOA interested party where issues and general community topics may be discussed, but **NOT VOTED ON. No official HOA business may be conducted.**
- Therefore, unit owners do not have a right to notice of a working session or a right to participate, and minutes are not required to be taken.



Q&A Round 2



Unit Owner Participation

- At an appropriate time determined by the board (but before the board votes on an issue under discussion) unit owners or their designated representatives shall be permitted to speak regarding that issue. The board may place reasonable time restrictions on persons speaking during the meeting. If more than one person desires to address an issue and there are opposing views, the board shall provide for a reasonable number of persons to speak on each side of the issue. C.R.S. §38-33.3-308(2.5)(b).



Is There A Quorum?



1. An HOA has fifty (50) unit-owners who may cast a vote for election of the executive board. The HOA governing documents do not contain any quorum requirements (i.e., they are 'silent'). The annual homeowners meeting is scheduled to start at 6:30PM (MT). How many unit owners are needed to make quorum?

➤ Answer: 10. 20% is needed in this particular instance.

Is There A Quorum? (con't)

2. An HOA has two hundred (200) unit-owners. The HOA Bylaws state 25% of unit owners must be in attendance at the beginning of the meeting at the annual owners meeting in order for a quorum to be met. Proxies may be used if a homeowner is unable to attend. There are currently 46 members present and one of the 46 members has 3 executed proxies which have been given to the Secretary. Is there a quorum?

- Answer: No. There is not 25% of unit owners (i.e., 50 members) represented at this meeting, so there is no quorum.

Is There A Quorum? (con't 2)

3. The executive board is about to meet for its quarterly board meeting. This is a particularly apathetic community with only fourteen (14) unit owners out of eighty (80) in attendance. There are many important issues the board needs to discuss and vote on, including hiring a new community association manager and whether to continue a snowplowing contract. HOA member John is surprised to learn two of the most charismatic board members, Jessie and Bruce, are absent, even though the other three out of five board members are still present. Is there a quorum at this executive board meeting?

- Answer: Yes, because persons entitled to cast fifty percent of the votes on the board are present at the beginning of the meeting (three out of five).

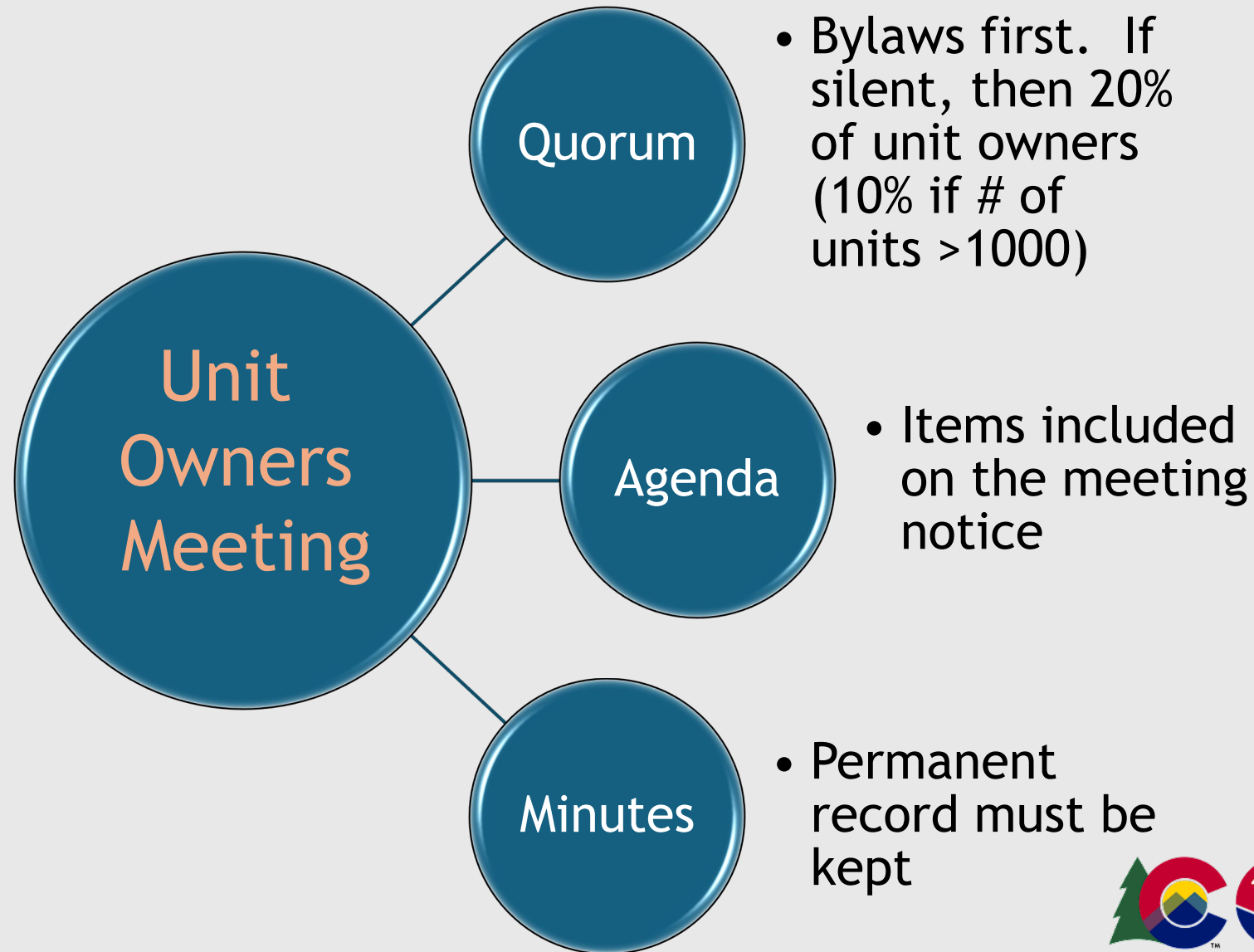
Meeting Agendas

- No state requirement other than the meeting notice shall state the items on the agenda, including the general nature of any proposed amendment to the declaration or bylaws, any budget changes, and any proposal to remove an officer or member of the executive board.
- Agendas for meetings of the executive board shall be made reasonably available for examination by all members of the association or their representatives.
- The association is encouraged to provide all agendas in electronic form (in addition to printed form).
- **C.R.S. §38-33.3-308.**

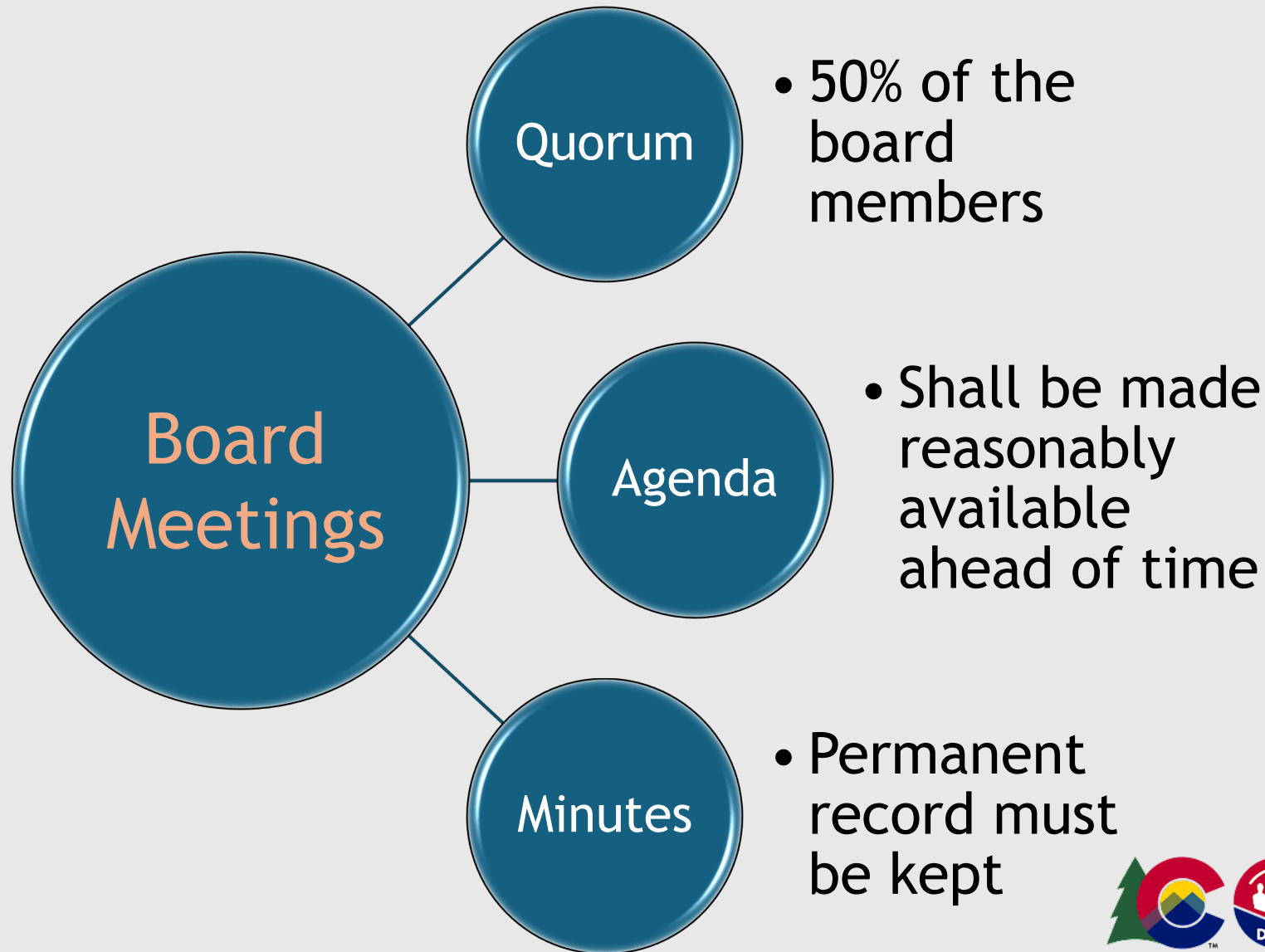
Meeting Minutes

- The association shall keep, as **permanent records**, minutes of all meetings of the unit owners and all meetings of the executive board, and/or a record of all actions taken by the unit owners or executive board without a meeting, and/or a record of all actions taken by any committee of the executive board. **C.R.S. §38-33.3-317(1)(c).**
- The only section of CCIOA which speaks to the *contents* of minutes is section **C.R.S. §38-33.3-308(7)** which states that “Minutes of all meetings at which an executive session was held shall indicate that an executive session was held and the general subject matter of the executive session”.

Helpful Reminders



Helpful Reminders (con't)



Pro Tips (1 of 2)



- Don't forget to follow your governing documents.
- Make sure a quorum has been established before conducting business.
- Prepare a well-organized agenda to avoid wasting time on unimportant issues that may arise.
- Allocate a set amount of time per issue (5 minutes, 10 minutes, etc.) and stick to it.
- Have concerned homeowners submit their questions before the meeting to allow the board to do some research beforehand.
- Attempt to hold meetings in a neutral location, such as a recreation center or library conference room.

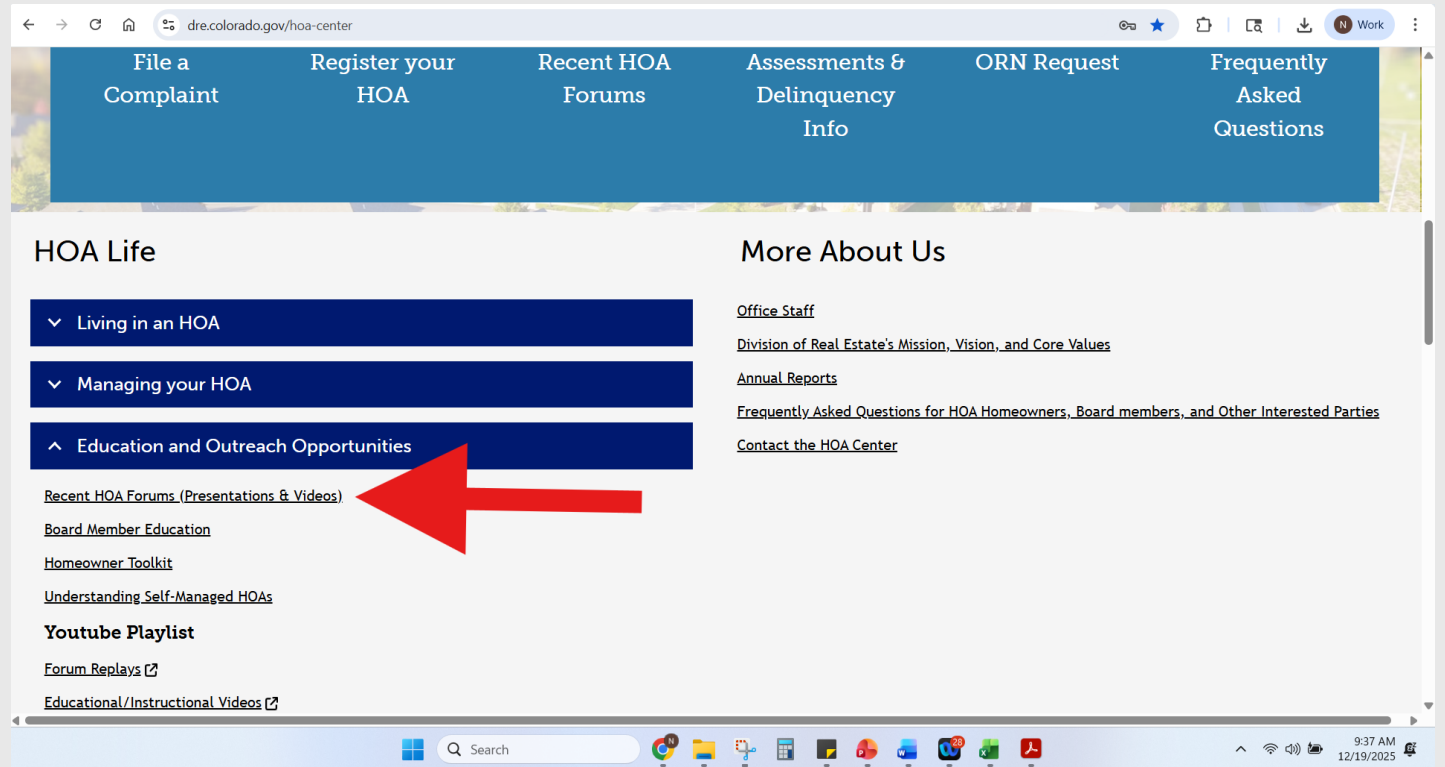
Pro Tips (2 of 2)



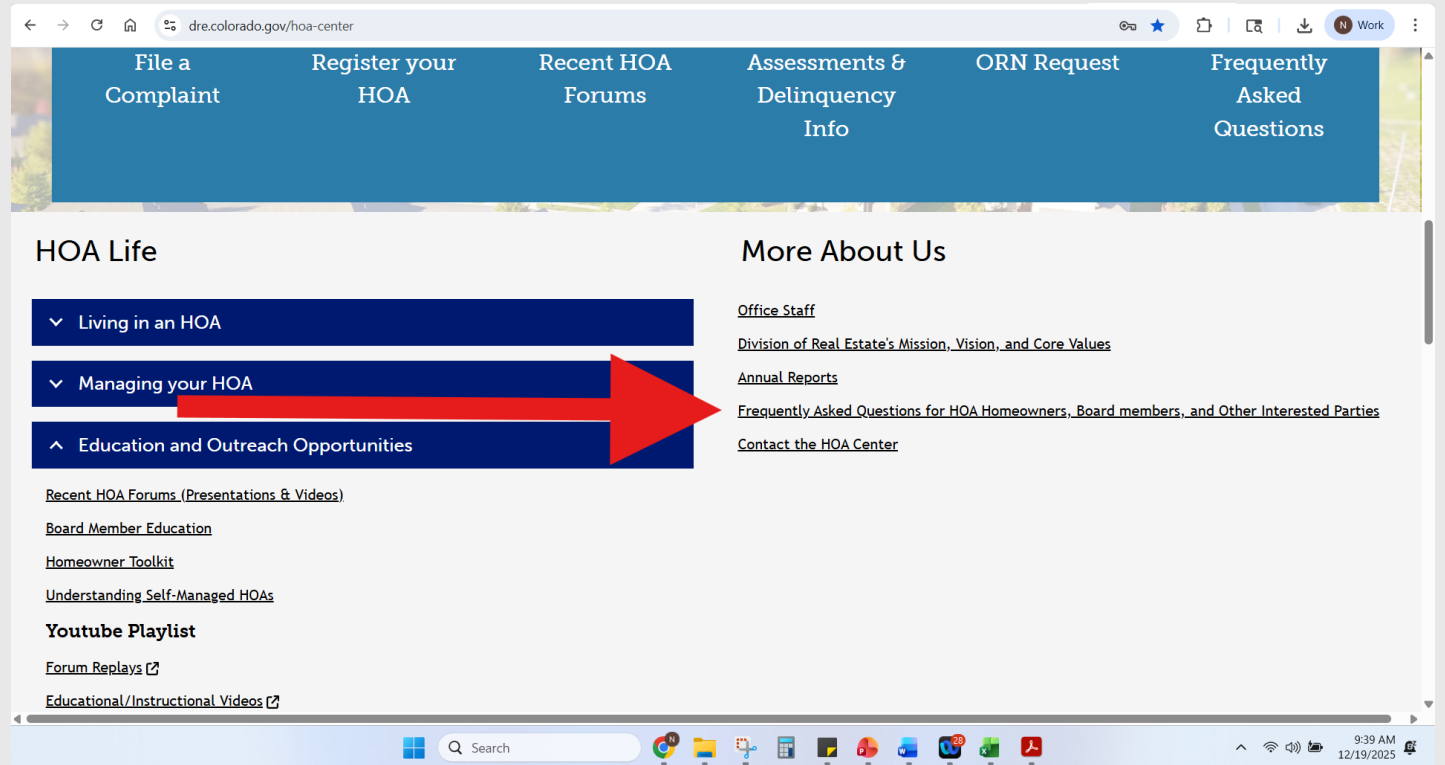
- Discuss the conduct of meetings policy before the meeting starts. Highlight the important parts. Bring copies to the meeting in case the board finds itself in a precarious situation.
- If the association doesn't have a community association manager, it might consider hiring one to professionally run meetings.
- All owners are entitled to meeting notices, even if some owners are not eligible to vote.
- Boards: ensure the association member list is current and accurate. Information about the members must include the members name, address, and number of votes each is entitled to cast.
- Boards: determine voter eligibility ahead of time. Some communities require voting members to be current on assessments. Check the governing documents for any such restrictions.



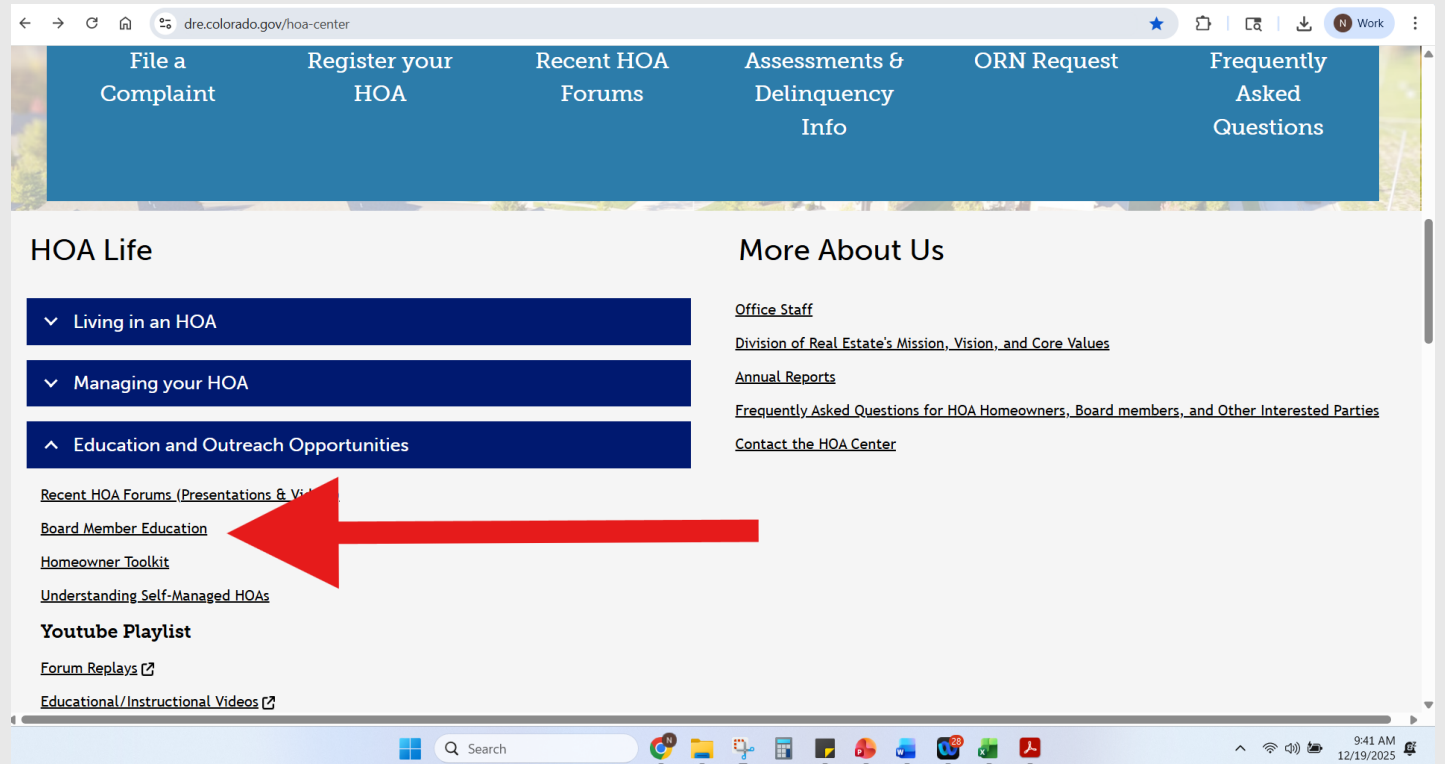
Where can I
locate slides
and
recordings of
HOA Forums?



Where can I
locate the
Frequently Asked
Questions
("FAQ") on
HOAs?



Where can I
locate the
Board Member
Education
Resource Page?



HOA Information & Resource Center Education and Resources

Check Out HOA Resources For Yourself
At:

Web: <https://dre.colorado.gov/hoa-center>

Send Inquiries Via E-mail To:
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Questions?

