

2017 Colorado Legislative Session on HOA Issues

It's not like we didn't try to get HOA legislative reform in 2017 but our legislators were silent to our requests. We placed telephone calls and sent many, many emails requesting meetings and support for such issues as out of court binding dispute resolution and HOA Transfer Fee reform: no responses. The one issue that did pass and will impact HOA home owners is the [construction defects Bill](#). In summary the Bill would require home owner approval of construction defects litigation. Prior to this Bill a few home owners could convince an HOA Board to sue in their behalf using HOA funds without apprising the residents of such action. This should save HOAs money previously wasted on frivolous lawsuits and special interest actions.

We must point out and to exemplify how the legislature avoids home owner groups such as ours. For the past three years we have sent legislators suggestions on construction defects reform and turns out this Bill nearly exactly reflects what we asked for in the law. We asked they make the Bill simple and simply require home owners to approve litigation which is what this Bill accomplished. One difference in our proposal to them was to require all litigation, other than everyday legal matters such as debt collection, be approved by home owners: this was rejected.

The Bill also avoided addressing the issue of arbitration vs court case for resolution but the overall effect of this Bill should be positive for home owners.