

Special Interest Articles:

- Colorado HOA Information Office and Resource Center 2011 Annual Report
- HOA Town Hall Meetings.
- Why mandatory out-of-court binding mediation works
- Planned HOA legislator survey
- Excessive Fees



“mandatory out-of-court binding arbitration (mediation) using professional unbiased arbitrators is effective, efficient, affordable, and provides timely conflict resolution on an even playing field among the those with significant resources and the average HOA homeowner”

The Colorado HOA Forum is an advocacy group for HOA homeowner's rights. We recognize the need for HOA legislative reform to ensure good HOA governance. We identify areas of concern and always offer solutions that don't interfere with or distract from the benefits and expectations of living in an HOA nor hinder or make serving on an HOA Board anything but the altruistic and giving experience as intended. Our efforts are directed at ensuring HOA Boards and property management companies simply abide by their own covenants, controls, and restrictions, State HOA laws and guidelines, and an HOA's by-laws. We also are strong advocates of HOA dispute resolution providing homeowners a feasible, workable, affordable, and fair hearing through mandatory out-of-court binding arbitration/mediation.

Contact us and others & write your State Rep

You can always contact us at: www.coloradohoaforum.com or email us at coloradohoaforum@hotmail.com

Please join our effort by signing up on our web site. All our articles, information, tools to help you write your legislator, and current events are posted on the web site.

You are encouraged to write us, your Colorado legislature, and the Colorado Information Office and Resource Center about any concerns you have about HOA governance and your homeowner rights. Our web site makes all this very easy with links to State Representatives and the HOA Office.

Colorado HOA Information Office and Resource Center: first annual report

In 2010 the Colorado General Assembly passed House Bill 10-1278 which created the HOA Information Office and Resource Center (“Office”) housed within the Division of Real Estate (“Division”). The purpose of the law is to compile information on HOAs in Colorado, including statistical data and information on issues homeowners are having in HOAs. The Office also serves as a resource for Colorado consumers providing information about living in an HOA and assisting homeowners, HOA boards, declarants, and other interested parties in understanding their rights and responsibilities under the Colorado Common Interest Ownership Act (“CCIOA”).

Although this office has no regulatory or enforcement authority it is a first step in evaluating, collecting, and reporting on the current state of HOA and property management activities in Colorado: much needs to be done. The full report is on our web site www.coloradohoaforum.com or the [State's web site](#). It should also be noted that some basic demographic HOA information was obtained through complaint information received by this office so this report is valuable in categorizing the types of complaints from homeowners and a good start on raising the level of awareness on the impact of HOA's in Colorado. We are very pleased to see recognition of our main goals in this report.

“the current Court system for HOA dispute resolution works well for the HOA and property management companies but is empty with justice for the homeowner.”



Points of interest in this report: 1) This report firmly supports our efforts: 2) this office is unknown to the public and still received nearly 500 complaints 3) mention is made of a need for some practical, accessible, and effective means for homeowners to settle their disputes 4) problems persist with HOA property management companies 5) enforcement of CCIOA from a homeowner's perspective is mostly a wish list than reality 6) HOA Board abuse in ignoring their own by-laws/CCR's related to open governance and access to HOA records by homeowners is a major problem 7) the estimated number of people in HOA's in Colorado, nearly 2 million, begs for more attention by our legislature.

IF YOU HAVE A PROBLEM OR CONCERN ABOUT LIVING IN YOUR HOA REPORT IT TO THE [HOA INFORMATION OFFICE AND RESOURCE CENTER](#) AND [LET YOUR STATE REPRESENTATIVE KNOW](#)

HOA Town Hall Meetings

We are working on organizing HOA Town Hall events in several locations throughout Colorado. Denver, Aurora, and maybe one on the Western slope are the goal. We intend to invite other HOA advocacy groups, members from property management companies, HOA

lawyers, and our State legislatures.

More to come on this. We need to identify facilities/meeting places and gain some commercial sponsors for the events. We are also contacting the news media to gain some exposure.

We are also aware that some State legislatures are also planning such Town Hall meetings concerning HOA's and we may be able to partner with their efforts. Your ideas on this matter are appreciated and your attendance is appreciated.

Why out-of-court binding arbitration works!

Most who follow conflict resolution between a homeowner and their Board or management company understand: 1) CCIOA and other Colorado guidelines and laws have little if anything written into them concerning enforcement and penalty provisions for violators, and 2) the Court system is not a means for dispute resolution as

it is too expensive, too complicated, too litigious, and biased against homeowners (it may well not exist for the average homeowner). So, we are strong advocates of something that evens the playing field for both the homeowner and HOA Board that works, is accessible, affordable, understandable, unbiased, and has proven to be

successful in other areas of jurisprudence: mandatory, out-of-court, binding arbitration (mediation). Get the Courts, lawyers, and money out of dispute resolution and you have a win-win situation.

[Our article](#) on our web site exemplifies the need for this measure.

Planned HOA Legislator Survey



We will be conducting a survey of all Colorado State legislators prior to the 2012 election. The survey will ask each legislator their positions on the need for HOA legislative reform to include enforcement and penalty provisions in CCIOA, their support for licensing and regulating property management companies, and their view on support for mandatory out-of-court

arbitration for HOA dispute resolution.

The results will be posted on our web site and for use in other materials to be distributed prior to the 2012 election.

We hope that HOA homeowners use this information in considering which candidate they support.

Excessive Fees/fines: can't make this up!

"To suggest the Court system works for HOA homeowner dispute resolution is like saying the poll tax didn't block certain groups from voting. If you had the money you could vote, if you have deep financial pockets the Court system works well"



There is no law in Colorado that directly addresses the issue of excessive fines, fees, assessments, and administrative charges on HOA homeowner debt. Legislation is needed to bring HOA debt management under consumer protection laws and/or pass legislation to cap fees and assessments to that which is reasonable, covers collection, costs, and is not used as a primary means to generate income and profit at the expense of the homeowner.

[Check out our article on our web site that exemplifies the issue of excessive fines, fees, and assessments, you won't believe it!](#)