

Phantom Opposition in Media on Colorado Construction Defects Bill

Colorado SB 15-177, construction defects reform, is aimed at reducing the number of and frivolous law suits entered into by HOAs that are costly to the construction industry and hinder construction of affordable housing. The spinoff benefit to HOA home owners is that it requires their approval prior to the HOA spending funds on litigation (most current version March 23, 2015). Too often HOA Boards at the encouragement of their lawyer enter into costly litigation without the knowledge or approval of home owners. The consequences can be burdensome special assessments and increases in HOA dues to pay for the litigation and replenish reserve funds.

The Bill is opposed by the Community Association Institute (CAI) affiliate members that comprise of HOA trial lawyers and property management companies (not HOAs or HOA home owners).

We have monitored press releases on similar initiatives and the current State Bill. The press (Denver Post, Denver Business Journal, Colorado Public Radio, and TV news) has again mentioned that opposition to the subject Bill is strong among HOA organizations and HOA home owners. We challenged the media to identify just one HOA organization (members being HOAs) and/or one HOA home owner's organization (mostly home owners as members). **TO DATE NEITHER COULD IDENTIFY ONE! THERE IS NO HOA OR HOA HOME OWNER'S ORGANIZATION IN THE STATE TO OUR KNOWLEDGE OR THE MEDIA'S THAT OPPOSES SB 15-177.**

This misrepresentation happens time and again with HOA issues. Those organizations/groups that have a blatant history of opposing, killing, and watering down proposed HOA Bills are presented as home owner centric. This even happens with our legislators many of whom use these groups as a sole source for HOA issues (we work on changing this).

This misrepresentation of who represents HOA home owners exemplifies why [our issues for legislative reform](#) and SB 15-177 (draft proposal) have such controversy and difficulties in gaining support: the [opposition identified doesn't exist](#) and/or misrepresents itself as supportive of home owners.

This latest article from the [Denver Business Journal](#) suggests opposition from phantom organizations such as home owner groups and HOA entities:

We ask the press to once again get it right and verify [who represents](#) home owners and those [who reject](#) legislative reform to promote home owner's rights and good HOA governance.

Colorado HOA Forum