

Sunset Review Concerning the HOA Office and Information Center
Observations from the Colorado HOA Forum
Representing the largest HOA home owner's advocacy organization in the State

1. The goals and responsibilities of this Office should be expanded to address the main complaint and concern of home owners: an accessible and affordable out of court binding dispute resolution process for complaints involving violations of State HOA laws and/or an HOA's own governing documents. Felony and criminal conduct complaints would not be part of this process nor would financial claims in excess of a certain dollar level to be determined. This type of dispute resolution process was suggested in a 2013 State HOA Study but never implemented. The cost to implement is explained in our [White paper on this subject](#) posted on our web site. No new funding from the general fund/taxpayers would be required. Currently, no State HOA laws contain any feasible, accessible and/or affordable means of conflict resolution for home owner complaints except our costly and litigious court system that most home owners can't pursue and such a system provides HOAs with a financial and legal resources advantage over home owner's limited funds. In summary, the Office would receive, review, investigate and render binding decisions. Note, this Office currently has authority assign punitive measures when HOAs don't register so this authority would be extended to violations of HOA law and governing documents with penalties to be determined.
2. The HOA registration process must be expanded in purpose beyond simply collecting fees and providing a more or less not very useful data base. Specifically, registration should require: 1) a confirmation that HOA Board members have read their HOA's governing documents and suggested readings on the State HOA Office web site (no cost to HOAs) 2) require the HOA indicate the name of the property manager upon registration with this Office confirming the manager has an active/valid license 3) upon annual renewal any change in management company or Board member will be reported to this Office to validate item "1" has been completed 4) completing the registration process would require the HOA to confirm that all their governing documents, financial statements, minutes of meetings, and all other official HOA organizational documentation required/requested upon the sale of a home (as defined on the DORA web site) have been posted on the HOA's web site and/or readily available in other form in most current version (this confirmed upon license renewal) and such documentation would be available to the home owner, Realtor, or Title Company. Alternatively, HOA official documents could be uploaded to a State date repository upon initial registration and whenever changes occur. This requirement would address a major complaint received by the State Office concerning access to records. Non-compliance would result in forfeiture of same legal rights as a non-registration. The Office would validate such information has been posted and such information is considered to be the most current available.

Stan Hrinkevich, President
Colorado HOA Forum
720 289 9966
coloradohoaforum@gmail.com