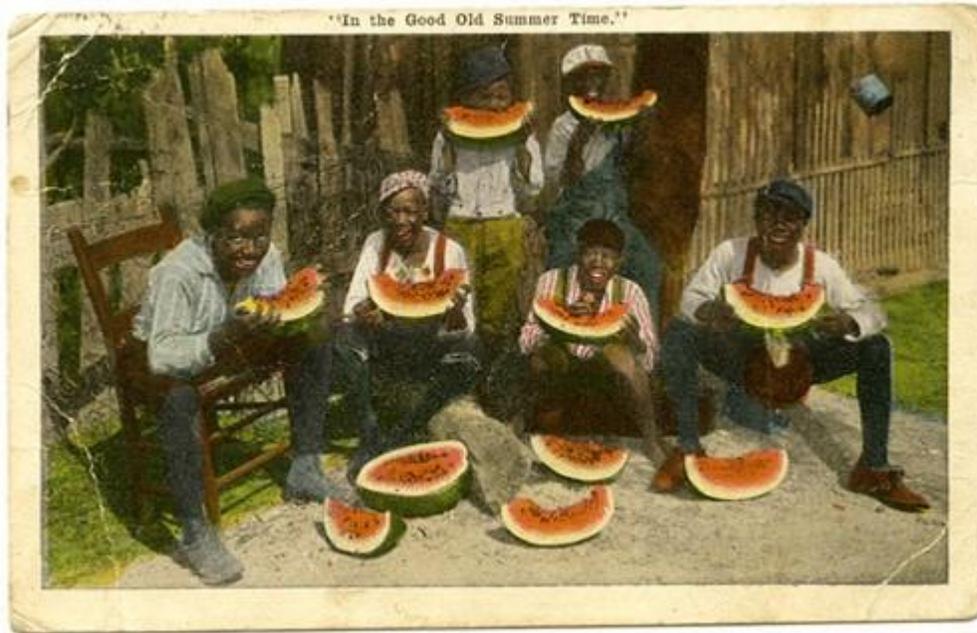


HOA Rules Meet Facebook-Twitter with Divisive Colorado HOA Flag Law



First off, the picture depicts what type of racial, hate and divisive flags can now be displayed with HB 21-1310. If you find it offensive then you should find this Bill offensive.

HOA's are based on a concept of you give up something to get something. That which you give up you know BEFORE you move into the HOA. You sacrifice homeowner's rights to gain the advantages of living in a planned, orderly, amenity oriented and improved home value community. HOAs are about conformance not doing your own thing and not standing out. HOA residents know, understand, accept and agree to comply with covenants, controls and restrictions (CCRs). CCR's are not pick and choose and apply equally to all, are known prior to home purchase and are not race, religion, gender based, and don't conflict with civil rights.

Enter HB 21-1310 that allows the government to pick and choose which CCRs an HOA can develop/enforce. The Bill allows the State to invalidate all HOA restrictions on flag messaging.

HOAs have been able to ban all flags (except the American flag and political signage for a brief period of time before and after an election) to mitigate hate and divisive flag messaging. Some allow limited and temporary display for personal occasions such as the birth of a child or high school/college graduation. Effective and fair HOA flag restrictions end with the Facebook-Twitter (and identity politics) mentality and mandates in HB 21-1310. Specifically, the social media practice of assigning self-importance to one's identify, thoughts and social and political views and a need to cry them to the world will now be allowed and completed through flag messaging in your HOA neighborhood (and do we all have to know about this?).

The HOA flag Bill allows a flag to contain any message or picture to be posted nearly anywhere and year around regardless of the repercussions of spreading hate and divisiveness. Thus gays and

lesbians can mark their homes with a flag indicating the sexual orientation of the resident (do we need to know this!). You'll be able to display a Ku Klux Klan or Nazi flag, fly a flag "Fags Live Next Door", a White Power or a picture of Ted Bundy (serial killer) flag, racially offensive flags, or graphic abortion displays. Add to this no limits on political, social and election issue flags year around and on your neighbor's lawn or house, on the neighbor's balcony and in your face if you live in a condominium and in windows throughout the community. The flag Bill will preclude your HOA and you from restricting any flag message, period.

Note, the right to display a flag with any content is not a civil rights or freedom of speech issue within an HOA as the sponsors of the Bill and the ACLU would have you think. Banning flags in an HOA of any sort is not a "rights" issue. If an HOA allows flags but selectively bans flags based on the message on the flag or person flying the flag there are HOA laws that make such selective enforcement unlawful. Thus, this Bill solves no "rights" issue and is redundant of current HOA law.

Note, of the thousands of HOA homeowner complaints received by the State's HOA Office annually for the past several years not one has been classified as a "flag issue" in their yearly summary of types of complaints. However, selective enforcement of restrictions is a classified type of complaint!

The first time I hear about a gay-rights, Jewish, Black or other segment of society complaining about offensive and vile signage with a flag in an HOA they should keep as quiet as they were when they knowingly allowed HB 21-1310 to be passed into law. HOA critics can complain as they will about HOA rules and restrictions but their no-flag restriction does mitigate hate and divisive messaging. Also, unlike HB 21-1310 HOAs don't cater to self-promotional and self-assigned-importance social media types at the expense of neighborhood civility.

Just imagine the first morning a Jewish or Black legislator pulls out of their garage and sees the neighbors Hitler or White Power flag! Peace and love be with you and just ignore hateful flags that promote hate and divisiveness (if you can).