

House Bills 21-1283, Towing Bill and HB 21-1310 Sign/Flag Bill

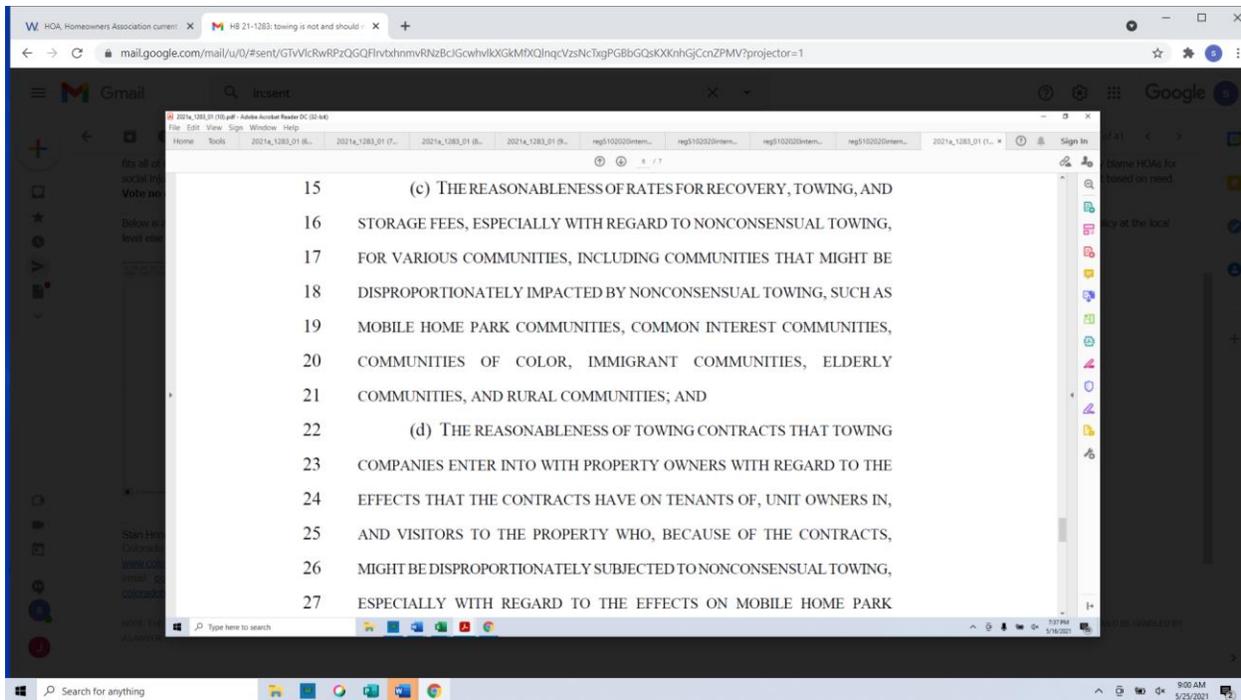
Below are our comments/emails sent to legislators on two HOA Bills being considered by the 2021 Legislative session. Both Bills provide little to no help for homeowners, are Bills attempting looking for a purpose and/or are very poorly written to cause legal and financial problems for HOAs and homeowners. We don't support either Bill.

Our take on [HB 21-1283](#): distributed to members and legislators

HB 21-1283, Towing Consumer Protection, is another example of a Bill that adds nothing to HOA homeowner's rights, is invasive on the authority of HOA Boards and worse yet has made a social issue out of towing that is not based on evidence. In the past seven years of our organization's existence we have not received one inquiry about HOA towing charges/policies and the State HOA Office in 2020 received only 12 out of 1,000 complaints concerning parking and not necessarily about towing and not one complaint that HOA policies are prejudicial. **This is a Bill attempting to correct a problem that doesn't exist.**

This Bill is directed at HOAs and subverting their local governance authority provided law. More ridiculous and offensive is the idea of requiring HOAs to develop policies directed at reversing and to stop developing prejudicial parking and towing enforcement policies (no evidence exists) affecting people of color and immigrant communities. It also proposes that a towing committee review an HOA's towing policy for reasonableness and impact on these groups as if one size fits all of Colorado's 8,000 HOAs and the committee has the resources to investigate the economics and demographics when reviewing consumer complaints. This is a Bill based on no proven need, attempts to baselessly blame HOAs for social injustice and should not be placed into law. We encourage legislators to pass HOA laws that improve homeowner's rights and living conditions but to stop passing HOAs that are not enforceable and in this case not based on need. **Vote no on this Bill. It is a Bill attempting to resolve a non-existent problem.**

Below is an excerpt from this law. The verbiage concerning the aforementioned demographic and social groups should be deleted as should any mention of any Committee determining what is "reasonable" for towing policy at the local level else it should be killed. We can support a proposal in this Bill to broaden representation on the PUC Towing Committee but such new members be classified as homeowners and nothing else.



HB 21-1310 Flag and Sign Bill, sent to legislators

If you will be involved in Committee work concerning HB 21-1310 please consider what challenges and legalities this Bill will generate. The Bill needs to be clarified and defined and written in such generalities and the verbiage of “neutral” message will open the door to controversy. What is “neutral” and who determines what is “neutral. All HOAs are different and in one HOA a Black Lives Matters flag will be permitted year-around and in another Black Lives Don’t Matter flag will be ok, what about a picture of Hitler by a hateful person or a student of history, is this ok? How about a picture pertaining to abortion (negative or supportive)?. Some HOAs simply have a rule of no flags other than those protected under the law: American flag and political signage during elections and this avoids most problems. Who will be the social police entity to determine what is "neutral" and acceptable? This Bill as written will simply add to legal challenges and cost to HOAs and homeowners. Please consider voting against the Bill or having it more definitively written.