

Colorado House Bill 23-1105 – Homeowners’ Association and Metropolitan District Homeowners’ Rights Task Forces

One of the new state bills signed in 2023 is House Bill 23-1105, which creates an HOA task force to examine and report on Association laws and practices.

The HOA task force will examine a variety of issues related to homeowner rights, including fining authority and practices, foreclosure practices, and communication practices to homeowners regarding homeowners’ rights and responsibilities. In addition, the task force will examine Colorado laws, including the Colorado Common Interest Ownership Act, and will examine individual Association documents from a representative sample of Associations the task force selects.

Members of the HOA task force must be appointed by July 15, 2023, with the first meeting to be scheduled as early as practicable after all members have been appointed. The law requires all Associations to notify their owners about the task force before the task force holds its first meeting.

Associations need to be prepared to cooperate with the HOA task force if selected for review. The law requires cooperation from the Board of Directors with any request from the task force for information regarding the Association, including any request for the Association’s Governing Documents, financial statements, reserve studies, or records related to collections activity or legal actions. All documentation provided to the task force must have all personal identifying information removed before submission. The task force may only report on information received from an Association in a manner that protects against the publication of any personal identifying information of homeowner.

The task force will be recommending areas of focus for the 2024 legislative session and will be submitting a final report by April 15, 2024. The final report will be provided to the Governor and state lawmakers, and will be published on the website for the Colorado Department of Regulatory Agencies.

The second task force created by the bill is the Metropolitan District Task Force. This task force will operate simultaneously and similarly to the HOA task force, but will examine issues specific to metropolitan districts, such as tax levying practices. Similarly to the HOA task force, the law requires metropolitan districts to notify their owners about the task force before its first meeting.

Thank you

Additional info - <https://leg.colorado.gov/bills/hb23-1105>