

Displaying the American and Service Flags: What HOAs Need to Know

With the Memorial Day weekend upon us, residents in homeowners' associations ("HOAs") across the United States fly the American flag and service flags to honor our fallen heroes. As a result, it's the perfect time to review provisions of Colorado law addressing HOAs regulating the display of these flags in associations.

Here's what HOAs need to know:

- The Colorado Common Interest Ownership Act ("CCIOA") at [C.R.S.38-33.3-106.5\(1\)\(a\) & \(b\)](#) addresses what associations are prohibited from regulating relative to the American and service flags. These provisions apply to all HOAs – including pre-CCIOA communities.

Display of the American Flag

- HOAs cannot prohibit the display of the American flag on a unit owner's property, in a window of the unit, or on a balcony adjoining the unit if the American flag is displayed in a manner consistent with the [Federal Flag Code](#).
- HOAs are permitted to adopt reasonable rules that regulate the placement and how the American flag is displayed.
- HOAs cannot prohibit the installation of flagpoles. However, associations are permitted to regulate the location and size of flags and flagpoles.

Display of Service Flags

- HOAs cannot prohibit the display of a service flag bearing a star denoting the service of the owner or occupant of the unit, or a member of the owner's or occupant's immediate family, who is serving in the active or reserve military service of the United States during a time of war or armed conflict.
- HOAs must permit service flags to be displayed on the inside of the window or door of a unit.
- HOAs are permitted to adopt reasonable rules regarding the size and manner of display of service flags. However, the maximum dimensions allowed may not be less than nine inches by sixteen inches.

These provisions of CCIOA are the minimum standards HOAs must comply with. However, it is not unusual for associations to be more permissive in regulating the display of the American and service flags.