
2023 HOA Information & Resource Center Annual Report

HOA Information & Resource Center
Colorado Division of Real Estate
HOA Information & Resource Center
1560 Broadway, Suite 925, Denver, Colorado 80202
Telephone: (303) 894-2166
Facsimile: (303) 894-2683
Email: dora_dre_hoainquiries@state.co.us
Website: <https://dre.colorado.gov/hoa-center>



Table of Contents

1. Executive Summary.....	4
2. Definitions	5
3. Legislative Review	6
3.1 HB23-1068- CONCERNING PET ANIMAL OWNERSHIP IN HOUSING	7
3.2 HB23-1105- CONCERNING THE CREATION OF TASK FORCES TO EXAMINE ISSUES AFFECTING CERTAIN HOMEOWNERS' RIGHTS	7
3.3 HB23-1174- CONCERNING HOMEOWNERS' INSURANCE AND THE COST OF RECONSTRUCTING A HOME AND NOTICE TO CANCEL OR REFUSE TO RENEW	9
3.4 HB23-1233- CONCERNING ENERGY EFFICIENCY AND VEHICLE CHARGING SYSTEMS IN MULTIFAMILY BUILDINGS CONCERNING MEASURES TO PROMOTE REDUCTIONS IN GREENHOUSE GAS EMISSIONS	9
3.5 HB23-1287- CONCERNING COUNTY REGULATIONS RELATED TO SHORT-TERM RENTALS OF LODGING UNITS	10
3.6 SB23-016- CONCERNING MEASURES TO PROMOTE REDUCTIONS IN GREENHOUSE GAS EMISSIONS..	10
3.7 SB23-178- CONCERNING REMOVING BARRIERS TO WATER-WISE LANDSCAPING IN COMMON-INTEREST COMMUNITIES.....	10
4. Registration.....	11
4.1 Active CICs.....	13
Figure 4.1 Active CICs by Month, 2023.....	13
4.2 Expired CICs	14
Figure 4.2 Expired CICs by Month, 2023	14
4.3 Population	14
Figure 4.3 Colorado Residents Subject to A CIC.....	15
4.4 Management Type	16
Figure 4.4 Professionally Managed vs. Self-Managed CICs In Colorado.....	17
Figure 4.5 Self-Managed CICs By Type	17
Figure 4.6 Professionally Managed CICs By Type	18
5. Inquiries	19
5.1 General Inquiries	19
5.2 Nature of Inquiries.....	20

6. Complaints.....	22
Figure 6.1 Complaints Received, 2023 vs. 2022 (monthly)	23
6.1 Complaint Categories	23
6.2 Complaint Category Origination	24
Figure 6.2 Regional Division of the State of Colorado by The HOA Center.....	24
Figure 6.3 Number of Complaint Categories by Region, 2023	25
Figure 6.4 2023 Complaint Categories Matched by Community Type, 2023.....	26
Figure 6.5 Number of Actively Registered CICs in Colorado by Number of Units, 2023.....	26
Figure 6.6 2023 Complaint Categories by CIC Size, 2023	27
Figure 6.7 2022 Complaints by Management Arrangement	28
Figure 6.8 2022 Complaints by Respondent Type	29
6.2 Complaints by Issue	29
Figure 6.9 2023 Complaint Categories by Type.....	31
7. Accomplishments & Objectives	32
7.1 Review of 2023	32
Figure 7.1.2 Number of YouTube Views for YouTube Presentations Offered by the HOA Center, 2023	33
7.2 Goals for the Office in 2024.....	34
8. Important Resources for Readers.....	34
8.1 Reader Resources	34

1. Executive Summary

The HOA Information & Resource Center (“HOA Center”) was created in 2010¹, and is housed within the Colorado Division of Real Estate (“Division”), a division of the Colorado Department of Regulatory Agencies (“DORA”). Pursuant to state law in Colorado (“State”), the HOA Center collects and compiles information about Common Interest Communities² (“CIC”) from its registration mandate, as well as from general inquiries and complaints received from the public. In general, the term public is used to include members of CICs, board members of CICs, Community Association Managers (“CAMS”) of CICs, and other interested parties. The HOA Center is also responsible for providing information and resources to unit owners (“homeowners”), CIC boards, Declarants³, and other interested parties about the rights and responsibilities set forth in the Colorado Common Interest Ownership Act⁴ (“CCIOA”) and other applicable State law. Homeowners of a CIC most commonly reside within a homeowner’s association (“HOA”).

As mandated by § 12-10-801(3)(c), C.R.S., the HOA Information Officer (“HOA Officer”), who administers the Center, presents an annual report to the Director of the Division (“Director”) after analyzing the above-referenced information.

This document, the 2023 HOA Information & Resource Center Annual Report (the “Report”), provides an overview of CIC law, an examination of feedback from homeowners and others in matters involving CICs, and insights into the trends and statistics of the CIC industry within Colorado. A diverse set of statistics on complaints received and CIC registration figures are prominently covered. The Report also contains a summary of legislation enacted in 2023 that pertains to CICs, select operational details of the HOA Center, and notes on the future direction of the HOA Center.

In summary, the Report is an integral part of the Center’s ongoing commitment to providing information, education, and resources to those affected by, involved with, or interested in CICs and in carrying out the Division’s mandate of consumer protection more broadly.

¹ HB10-1278 as codified in § 12-10-801(1), C.R.S.; effective January 1, 2011.

² From § 38-33.3-103(8), C.R.S.:

“Common interest community” means real estate described in a declaration with respect to which a person, by virtue of such person’s ownership of a unit, is obligated to pay for real estate taxes, insurance premiums, maintenance, or improvement of other real estate described in a declaration. Ownership of a unit does not include holding a leasehold interest in a unit of less than forty years, including renewal options. The period of the leasehold interest, including renewal options, is measured from the date the initial term commences.”

³ From § 38-33.3-103(12), C.R.S.:

“Declarant” means any person or group of persons acting in concert who:

(a) As part of a common promotional plan, offers to dispose of to a purchaser such declarant’s interest in a unit not previously disposed of to a purchaser; or

(b) Reserves or succeeds to any special declarant right.”

The declarant is typically the developer of the community.

⁴ §§ 38-33.3-101 to 402, C.R.S. (2023).

2. Definitions

CAM means a Community Association Manager, or Community Association Management Company, or association property manager, or association property management company. The term more broadly represents the specific individual or company that provides management and administrative services for a CIC, usually pursuant to a written, negotiable contract. CAMs were regulated in Colorado from July 1, 2015, to July 1, 2019. In 2019, the Governor vetoed HB19-1212, which would have continued the CAM licensing program. As a result, CAMs are currently unlicensed and unregulated in the State.

CCIOA means the Colorado Common Interest Ownership Act, §§ 38-33.3-101 to 402, C.R.S. (2023).

Common Elements means (a) in a condominium or cooperative, all portions of the condominium or cooperative other than the units; and (b) in a planned community, any real estate within a planned community owned or leased by the association, other than a unit.⁵

Common Interest Community or **CIC** or **Common Interest Communities** or **CICs** means real estate described in a declaration with respect to which a person, by virtue of such person's ownership of a unit, is obligated to pay for real estate taxes, insurance premiums, maintenance, or improvement of other real estate described in a declaration.⁶ CIC is the formal term for an HOA or other commonly-referred to type of association, such as a townhouse owners association, a property owners association, a condominium owners association, a road owners association, or more simply, an owners association.

Complaint Category refers to one of a multitude of issues or categories of issues identified by the HOA Center while analyzing a complaint. For example, "Communication with Homeowners/Board" and "Conflicts of Interest" is a complaint element.

Condominium means a common interest community in which portions of the real estate are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate ownership portions. A common interest community is not a condominium unless the undivided interests in the common elements are vested in the unit owners.⁷

Cooperative means a common interest community in which the real property is owned by an association, each member of which is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit.⁸

Director means the Director of the Colorado Division of Real Estate.

Division means the Colorado Division of Real Estate.

HOA Center means the HOA Information & Resource Center, as defined in § 12-10-801(1), C.R.S.

⁵ § 38-33.3-103(5), C.R.S.

⁶ § 38-33.3-103(8), C.R.S.

⁷ § 38-33.3-103(9), C.R.S.

⁸ § 38-33.3-103(10), C.R.S.

“HOA Officer” means the HOA Information Officer.

“Planned Communities” means a common interest community that is not a condominium or cooperative. A condominium or cooperative may be part of a planned community.⁹

Generally, CICs registered as a planned community encompasses many single-family houses, each of which is equivalent to a single unit; the structure of the house and a defined surrounding area are owned exclusively by the homeowner.

“Units” means a physical portion of the common interest community which is designated for separate ownership or occupancy and the boundaries of which are described in or determined from the declaration. If a unit in a cooperative is owned by a unit owner or is sold, conveyed, voluntarily or involuntarily encumbered, or otherwise transferred by a unit owner, the interest in that unit which is owned, sold, conveyed, encumbered, or otherwise transferred is the right to possession of that unit under a proprietary lease, coupled with the allocated interests of that unit, and the association’s interest in that unit is not thereby affected.¹⁰ Examples include condominiums, townhomes, duplexes, single-family homes, undeveloped parcels of land, etc.

“Xeriscape” means the combined application of the seven principles of landscape planning and design, soil analysis and improvement, hydro zoning of plants, use of practical turf areas, uses of mulches, irrigation efficiency, and appropriate maintenance under section 38-35.7-107 (1)(a)(III)(A), C.R.S.¹¹

3. Legislative Review

In 2023, the 74th General Assembly’s legislative session convened on January 9, 2023, and adjourned on May 8, 2023. During the session, many important bills were passed into law by the Colorado General Assembly, including several which directly affect CICs in the State. After the session ended, the HOA Center prepared detailed legislative summaries of each bill that affects associations. These summaries are published on the HOA Center’s website.¹² In addition, the HOA Information Officer presented a webinar presentation (an “HOA Forum”) on July 21, 2023, to discuss these important changes to Colorado law. In 2023, the HOA Forum had one hundred eighty (180) attendees.¹³ The HOA Center regularly receives comments from the public that these summaries are a useful reference tool for those affected by, involved with, or interested in CICs.

The specific bills affecting CICs passed during the 2023 legislative session are as follows:

- a. **HB23-1068- CONCERNING PET ANIMAL OWNERSHIP IN HOUSING, AND, IN CONNECTION THEREWITH, PROHIBITING RESTRICTIONS ON DOG BREEDS FOR OBTAINING HOMEOWNER’S INSURANCE, PROVIDING FOR THE MANNER IN WHICH PET ANIMALS ARE HANDLED WHEN A WRIT OF RESTITUTION IS EXECUTED, LIMITING SECURITY DEPOSITS AND RENT FOR PET ANIMALS FROM PERSONAL PROPERTY LIENS**

⁹ § 38-33.3-103(22), C.R.S.

¹⁰ § 38-33.3-103(30), C.R.S.

¹¹ § 38-33.3-103(33), C.R.S.

¹² See <https://dre.colorado.gov/colorado-general-assembly-2023-legislative-updates>

¹³ <https://www.youtube.com/watch?v=NGXlihCyiq8>

- b. **HB23-1105**- CONCERNING THE CREATION OF TASK FORCES TO EXAMINE ISSUES AFFECTING CERTAIN HOMEOWNERS' RIGHTS, AND, IN CONNECTION THEREWITH, CREATING THE HOA HOMEOWNERS' RIGHTS TASK FORCE, AND MAKING AN APPROPRIATION
- c. **HB23-1174**- CONCERNING HOMEOWNERS' INSURANCE, AND IN CONNECTION THEREWITH, REQUIRING CERTAIN REPORTS RELATED TO THE COST OF RECONSTRUCTING A HOME, INCREASING THE NOTICE REQUIREMENT BEFORE AN INSURER CAN CANCEL OR REFUSE TO RENEW A HOMEOWNERS INSURANCE POLICY, CREATING GUARANTEED REPLACEMENT COST COVERAGE IN HOMEOWNER'S INSURANCE, AND MAKING AN APPROPRIATION
- d. **HB23-1233**- CONCERNING ENERGY EFFICIENCY, AND, IN CONNECTION THEREWITH, REQUIRING THE STATE ELECTRICAL BOARD TO ADOPT RULES FACILITATING ELECTRIC VEHICLE CHARGING AT MULTIFAMILY BUILDINGS, LIMITING THE ABILITY OF THE STATE ELECTRICAL BOARD TO PROHIBIT THE INSTALLATION OF ELECTRICAL VEHICLE CHARGING STATIONS, FORBIDDING PRIVATE PROHIBITIONS ON ELECTRIC VEHICLE CHARGING AND PARKING, REQUIRING LOCAL GOVERNMENTS TO COUNT CERTAIN SPACES SERVED BY AN ELECTRIC VEHICLE CHARGING STATION FOR MINIMUM PARKING REQUIREMENTS, FORBIDDING LOCAL GOVERNMENTS FROM PROHIBITING THE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS, EXEMPTING ELECTRIC VEHICLE CHARGERS FROM BUSINESS PROPERTY TAX, AND AUTHORIZING ELECTRIC VEHICLE CHARGING SYSTEMS ALONG HIGHWAY RIGHTS-OF-WAY
- e. **HB23-1287**- CONCERNING A COUNTY'S REGULATORY AUTHORITY RELATED TO SHORT-TERM RENTALS OF LODGING UNITS
- f. **SB23-016** CONCERNING MEASURES TO PROMOTE REDUCTIONS IN GREENHOUSE GAS EMISSIONS IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION
- g. **SB23-178**- CONCERNING REMOVING BARRIERS TO WATER-WISE LANDSCAPING IN COMMON INTEREST COMMUNITIES

3.1 **HB23-1068**- CONCERNING PET ANIMAL OWNERSHIP IN HOUSING ¹⁴

House Bill 23-1068 addresses a variety of factors across Colorado law including home insurance, eviction, security deposits, rent, and landlord liens. Accordingly, this bill affects landlords, tenants, homeowners, and homeowners' associations. The bill was passed by the legislature and signed by the Governor on June 7, 2023, and took effect on January 1, 2024.

For purposes of this Annual Report, the insurance provisions of the bill are most relevant for homeowners and the CICs that those homeowners reside in. The bill states that insurers may not (1) refuse to issue, (2) cancel, (3) refuse to renew, or (4) increase a premium or rate for a homeowner's insurance or increase a premium for either homeowner's insurance or fire insurance based on the breed or mixture of breeds of a dog that is kept at the dwelling. This provision, added to section 10-4.110.8, C.R.S., does not prohibit an insurer from the above if the dog kept at the dwelling is known to be a dangerous animal or if the dog has been declared to be dangerous in accordance with section 18-9-204.5, C.R.S. The insurer may not ask about the breed or mixture of breeds of any dog; however, the insurer may ask if the dog is known to be dangerous.

3.2 **HB23-1105**- CONCERNING THE CREATION OF TASK FORCES TO EXAMINE ISSUES AFFECTING CERTAIN HOMEOWNERS' RIGHTS ¹⁵

The 2023 bill which may have the most influence on HOA life in the future might be HB23-1105. This bill, passed by the legislature and signed by the Governor on May 24, 2023,

¹⁴ https://leg.colorado.gov/sites/default/files/2023a_1068_signed.pdf

¹⁵ https://leg.colorado.gov/sites/default/files/2023a_1105_signed.pdf

took immediate effect. Specifically, it created two important task forces: the HOA Homeowners' Rights Task Force and the Metropolitan District Homeowners' Rights Task Force. As the Chairperson for both task forces, the Director of the Division of Real Estate facilitated often complex conversations between task force members who were appointed by the Speaker of the House and the Governor.

HOA Homeowners' Rights Task Force was statutorily directed to consider:

1. Issues confronting HOA homeowners' rights
2. Fining authority and practices
3. Foreclosure practices
4. Communications with HOA Homeowners regarding association processes and HOA Homeowners' rights and responsibilities
5. Association Records: a representative sample of association documents (Declaration, Covenants, Bylaws, Articles of Incorporation, rules & regulations, responsible governance policies, financial statements, most recent reserve study, records of actions of the board regarding collections activity or legal action taken against a unit owner)
6. HOA Center Complaints
7. Complaints made to any homeowners' advocacy groups
8. Laws affecting Common Interest Communities

Similarly, the Metropolitan District Homeowners' Rights Task Force was directed to contemplate similar topics. Upon the creation of these task forces, the Department of Regulatory Agencies and the Division of Real Estate undertook public engagement by:

1. Developing a unique website for each task force where members of the public could interact, take surveys, submit public comment, and learn more about the task force meetings¹⁶
2. Holding numerous public meetings via webinar to allow a maximum number of attendees
3. Live-streaming public meetings on the Division of Real Estate's YouTube.com Channel and recording public meetings for viewing by members of the public that were unable to attend live
4. Opened meetings of the task forces to oral public comment before the task force members

After carrying out their respective mandates, the two task forces shall prepare written reports which shall be published on the Department of Regulatory Agencies website and provide copies of the findings and conclusions and final reports to (a) the House of Representatives Transportation, Housing, and Local Government Committee, (b) the Senate Local Government and Housing Committee, and (c) the Governor. As of the date of this Annual Report, these task forces have not completed their meetings or finalized their reports.

¹⁶ See www.engagedora.org/hoa-task-force and www.engagedora.org/metropolitan-district-homeowners-rights-task-force

3.3 HB23-1174- CONCERNING HOMEOWNERS' INSURANCE AND THE COST OF RECONSTRUCTING A HOME AND NOTICE TO CANCEL OR REFUSE TO RENEW¹⁷

As exhibited by a variety of governmental initiatives during the 2023 legislative session, but also by previous legislative sessions, the cost and availability of housing in Colorado is a priority. HB23-1174 emphasizes this priority by establishing the requirement that a report on the cost of reconstructing homes in Colorado be prepared by April 1, 2025, and annually thereafter. The report will consider various factors including differing regions of the state, home types by design structure, different home customization types and other factors set forth in section 10-4-110.8(8), C.R.S.

This report will be particularly relevant to CICs and owners within these communities. In recent years, Colorado has been affected by numerous natural disasters ranging from floods, hailstorms, tornados, and wildfires. These natural disasters have, in part, affected the cost of individual homeowner insurance policies, but also the commercial policies that CICs are required by statute to maintain common elements on their properties.

The bill also requires that an insurer must mail by first-class mail to the named insured, at the last address shown in the insurer's records, at least sixty (60) days in advance, a notice of intent to cancel or refuse to renew a policy. The notice must specifically state the reason or reasons for proposing to take such action. Exception to this rule is when cancellation is for nonpayment of premium, in which case, the insurer needs to provide at least ten (10) days' notice of cancellation accompanied by the reasons for taking such action.

The important consumer protections created by this bill were passed by the legislature and signed by the Governor on May 12, 2023. The bill took effect on August 7, 2023.

3.4 HB23-1233- CONCERNING ENERGY EFFICIENCY AND VEHICLE CHARGING SYSTEMS IN MULTIFAMILY BUILDINGS CONCERNING MEASURES TO PROMOTE REDUCTIONS IN GREENHOUSE GAS EMISSIONS¹⁸

The Colorado General Assembly has repeatedly issued legislative declarations to express its desire to reduce greenhouse gas emissions. Accordingly, vehicle electrification is a key strategy for the transportation sector. Important for the motivations of this bill, the legislature found and HB23-1233 acknowledges that it is less expensive to build electric-vehicle-capable parking spaces at the time of initial construction rather than through retrofitting after initial construction. Therefore, CIC Declarants may consider it important in the planning phases of any new community.

For CICs, the bill encourages allowing electric charging stations and the parking of electric vehicles. The bill makes clear that a board shall not prohibit a unit owner from the installation of a Level 1 or Level 2 electric vehicle charging system on or in: (1) a unit, (2) an assigned or deeded parking space that is part of or assigned to a unit, or (3) a parking space that is accessible to both the unit owner and other unit owners. The board shall also not restrict parking based on a vehicle being a plug-in hybrid vehicle or plug-in electric vehicle.

¹⁷ https://leg.colorado.gov/sites/default/files/2023a_1174_signed.pdf

¹⁸ https://leg.colorado.gov/sites/default/files/2023a_1233_signed.pdf

HB23-1233 was passed by the legislature and signed by the Governor May 23, 2023, and was immediately effective.

3.5 HB23-1287- CONCERNING COUNTY REGULATIONS RELATED TO SHORT-TERM RENTALS OF LODGING UNITS¹⁹

Although HB23-1287 does not directly affect CICs in Colorado, it does pertain to a topic about which the HOA Center regularly receives inquiries. That topic is short-term rentals. The HOA Center receives many inquiries about allowing and/or prohibiting rentals in communities, including short-term rentals. For some individuals in a community, short-term rentals can be financially beneficial, while for others, they can be a nuisance.

In short, HB23-1287 makes clear that short-term rentals are purely a local concern, meaning that they are controlled by local governments, and not the state government. Accordingly, the inclusion of HB23-1287 in the HOA Center's 2023 Legislative Reviews section of the Annual Report has more to do with informing unit owners and boards that compliance with local regulations, whether those are on the municipal level or the county level, is required. Compliance with short-term rental local laws is required, even for those units located in CICs.

After HB23-1287 was passed and signed by the Governor on June 5, 2023, the bill took effect on August 7, 2023.

3.6 SB23-016- CONCERNING MEASURES TO PROMOTE REDUCTIONS IN GREENHOUSE GAS EMISSIONS²⁰

Passed by the legislature and signed by the Governor on May 11, 2023, SB23-016 became effective on August 7, 2023. The bill sets forth several overarching goals related to addressing climate related issues in Colorado, but related directly to CICs, SB23-016 merely clarifies existing provisions found in CCIOA. CCIOA already limited a board's ability to prohibit "Energy Efficient Measures", which include awnings, evaporative coolers, and certain clotheslines. Also included as an Energy Efficiency Measure is a heat pump. Although a heat pump was included as an Energy Efficiency Measure before this bill was passed into law, the bill further defines a heat pump by reference to section 39-26-732(2)(c), C.R.S.

3.7 SB23-178- CONCERNING REMOVING BARRIERS TO WATER-WISE LANDSCAPING IN COMMON-INTEREST COMMUNITIES²¹

SB23-178 was passed by the legislature, signed by the Governor on May 17, 2023, and became effective on August 7, 2023. This bill allows unit owners residing in CICs greater flexibility in deciding whether to install xeriscaping, non-vegetative turfgrass, or drought-tolerant vegetative landscapes on property the unit owner is responsible for maintaining. Before passing SB23-178, such property included limited common elements but now, it also includes any right-of-way or tree lawn under the purview of the unit owner.

¹⁹ https://leg.colorado.gov/sites/default/files/2023a_1287_signed.pdf

²⁰ https://leg.colorado.gov/sites/default/files/2023a_016_signed.pdf

²¹ https://leg.colorado.gov/sites/default/files/2023a_178_signed.pdf

While an association may still adopt and enforce reasonable design or aesthetic guidelines, the bill expressly must:

1. Not prohibit the use of non-vegetative turfgrass in the backyard of a residential property;
2. Not unreasonably require the use of hardscape on more than twenty percent of the landscaping area of a unit owner's property;
3. Allow a unit owner an option that consists of at least eighty percent drought-tolerant plantings; and
4. Not prohibit vegetable gardens in the front, back, or side yard of a unit owner's property. "Vegetable garden" means a plot of ground or an elevated soil bed in which pollinator plants, flowers, or vegetables or herbs, fruits, leafy greens, or other edible plants are cultivated.

To facilitate these steps by each association, the bill requires as association to select at least three preplanned water-wise garden designs that are preapproved for installation in front yards within the common interest community. Examples of water-wise designs can be found at the Colorado State University extension plant select organization (or from a municipality, utility, or other entity that creates such garden designs).

The legislature carefully tailored this bill to only apply to a unit that is a single-family detached home, and the bill does not apply to attached homes that share one or more walls with another unit or a condominium.

4. Registration

The HOA Center continues to carry out an important aspect of its statutory mandate: registration of CICs in the State of Colorado.²² CCIOA requires that all CICs located in Colorado register with the Division of Real Estate.²³ The HOA Center then collects and compiles a database of CICs. Although the statutory language in CCIOA requires registration, the Division and the HOA Center do not have any jurisdiction to enforce the registration requirement. Nevertheless, CCIOA limits the rights of a CIC "to impose or enforce a lien for assessments under section 38-33.3-316 or to pursue an action or employ an enforcement mechanism otherwise available to it under section 38-33.3.123 [which] is suspended until the association is validly registered pursuant to this section."²⁴

Absent the authority to enforce the registration requirement, both the Division and the HOA Center collect the following statutorily required information which is expressly enumerated in CCIOA:

1. Fee: Except for those CICs collecting five thousand dollars (\$5,000.00) or less annually, OR for those CICs that are not authorized to make assessments and do not have revenue²⁵, the Division collects a registration fee set in accordance with § 12-10-215, C.R.S.
2. CIC Name
3. Name of the CIC's management company if any

²² § 12-10-801(3)(a)(I), C.R.S.

²³ § 38-33.3-401, C.R.S.

²⁴ § 38-33.3-401(3), C.R.S.

²⁵ § 38-33.3-401(2)(b), C.R.S.

4. Managing agent, if any, or the Designated Agent name
5. Physical Address of the CIC
6. Valid address for the CIC or the management company, managing agent, or Designated Agent
7. Email address, if any, for the CIC or the management company, managing agent, or Designated Agent
8. Website, if any, for the CIC or the management company, managing agent, or Designated Agent
9. Telephone number for the CIC or the management company, managing agent, or Designated Agent
10. The number of units in the CIC²⁶

Although the HOA Center reviews the information submitted upon initial registration, the HOA Center is unable to review any information for CICs that do not register or renew. Accordingly, the HOA Center presumes that there are a significant number of CICs that do not comply with the registration process set forth in § 38-33.3-401, C.R.S.

As in years past, the HOA Center continues to provide the public with registration information, education, and outreach. Through these efforts, the HOA Center continues to reach out to a wide range of the population of Colorado, explaining the benefits of registration and providing other information available from the HOA Center.

There are notable data points that the Division and HOA Center are NOT statutorily required to collect which are NOT expressly enumerated in CCIOA:

1. The current amount of periodic assessments (“dues”) charged per CIC
2. The percent increase (or decrease) in dues per CIC year-over-year
3. The number and dollar amount of Special Assessments levied per unit owner per CIC during its fiscal year
4. The number of unit owners per CIC delinquent on their dues during its fiscal year
5. The number of liens foreclosed upon within a CIC during its fiscal year
6. The number of pending lawsuits within a CIC during its fiscal year

²⁶ § 38-33.3-401(2), C.R.S.

4.1 Active CICs

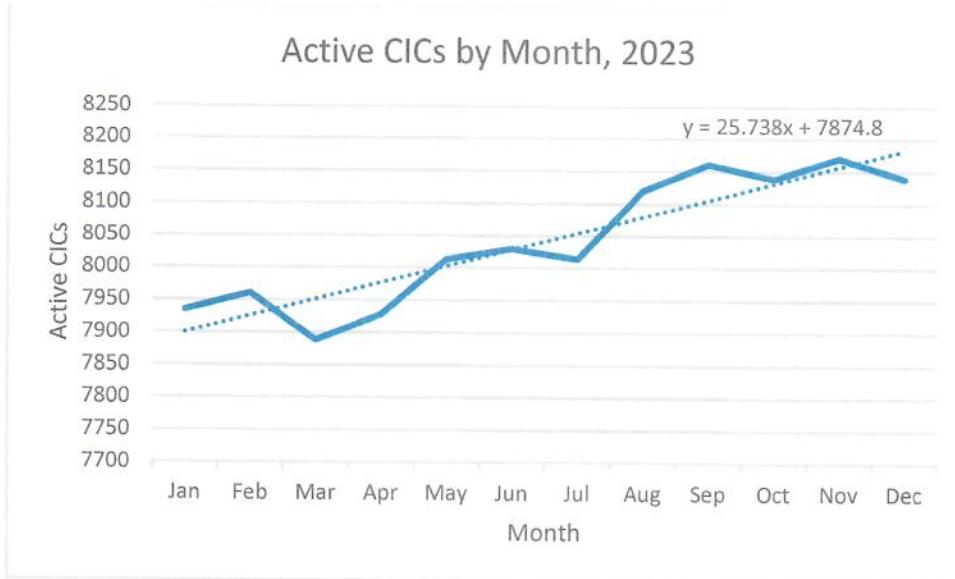


Figure 4.1 Active CICs by Month, 2023

Figure 4.1 indicates seven thousand nine hundred thirty-five (7,935) CICs were registered as “Active” with the HOA Center at the beginning of January, 2023. That number increased to eight thousand one hundred and forty (8,140) by the end of the year, a net gain of two hundred and five (205) CICs. The slope of the line in Figure 4.1 reveals that, on average, each month saw an increase of approximately twenty-six (26) new Active CICs in 2023.

Contrary to what some may believe, the increase referenced in Figure 4.1 is not limited to “new” CICs registered by developers or “Declarants”, but also includes pre-existing CICs that had never previously been registered with the Division and CICs that were previously “Expired” and renewed.

4.2 Expired CICs

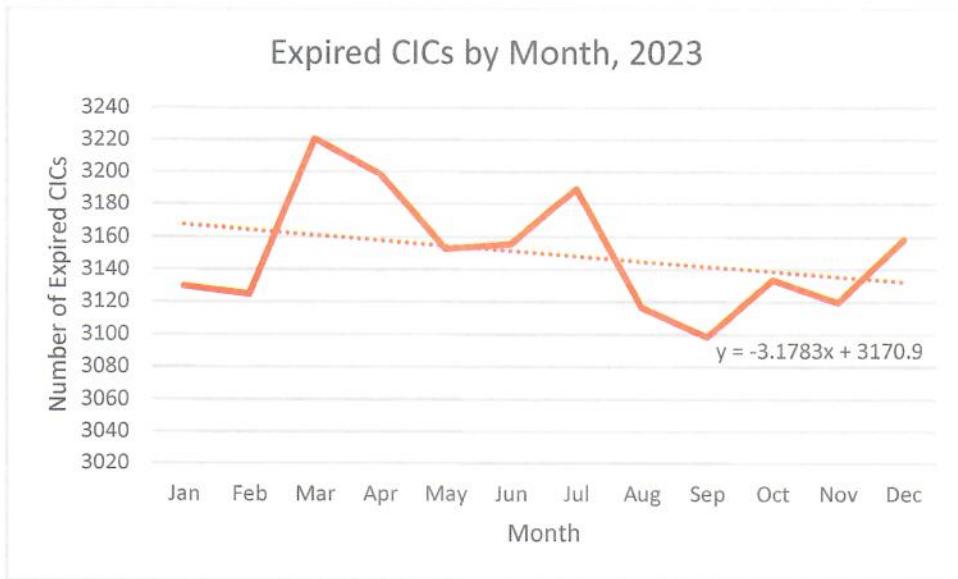


Figure 4.2 Expired CICs by Month, 2023

Figure 4.2 indicates three thousand one hundred and thirty (3,130) CICs were registered as “Expired” with the HOA Center at the beginning of January, 2023. The number of “Expired” CICs increased to three thousand one hundred and fifty-nine (3,159) by the end of the year, a net gain of twenty-nine additional “Expired” CICs. More importantly, the slope of the line in Figure 4.2 reveals that, on average, approximately three additional CICs moved out of an “Expired” status with the HOA Center every month.

A CICs registration status may move in to “Expired” status for a variety of reasons: first, the CIC (or managing agent/CAM) may have simply forgotten to renew at the end of the registration cycle; second, the CIC (or managing agent/CAM) may have changed the board member or Designated Agent who was responsible for maintaining the registration status and, as a result, no board member/Designated Agent was available to renew the registration; third, a CIC may have started the application to apply, but failed to complete the application, likely due to being unable to supply the required information pursuant to section 38-33.3-401, C.R.S.; or fourth, while less likely, a CIC may decide for financial, or other reasons, not to register/renew with the division. As of the date of the writing of this report (February, 2024), a CICs initial registration fee is \$44.00, and a CICs renewal fee is \$43.00.

A common inquiry received by the HOA Center is when homeowners (or potential purchasers) request contact information for HOA/board members. Because the information submitted by a CIC during the registration process (for example, the email address or telephone number for the association or its management company/managing agent) is self-reported, the HOA Center is unable to guarantee the accuracy of the information in its database.

4.3 Population

The statistical data collected in accordance with § 38-33.3-401, C.R.S. are utilized to estimate the approximate number of Colorado residents who reside in a CIC. As in years past, the HOA Center relies on numbers provided publicly by the United States Census Bureau. Namely, the HOA Center utilizes the average number of persons per household, which, as of February 8, 2024, is currently 2.57 persons per household, according to the 2020 Decennial Census published by the United States Census Bureau.²⁷

At the end of 2023, the Division had eight thousand one hundred and forty (8,140) actively registered CICs and three thousand one hundred and fifty-nine (3,159) expired CIC registrations, for a total of eleven thousand two hundred and ninety-nine (11,299) total CICs in Colorado. The total number of units reported to the Division at the end of 2023, for both Active and Expired registrations, was one million fifty-eight thousand seven hundred and thirty (1,058,730). By multiplying the number of units by the average number of persons per household, the total number of Coloradans living in a CIC at the end of 2023 equaled approximately two million seven hundred twenty thousand nine hundred and thirty-six (2,720,936).

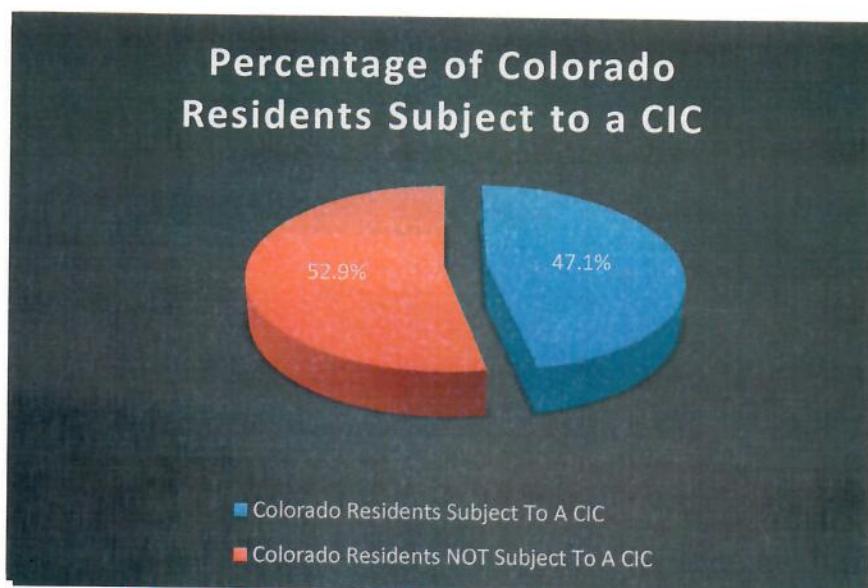


Figure 4.3 Colorado Residents Subject to A CIC

As reported by the United States Census Bureau in the 2020 Decennial Census, the total population of Colorado is five million seven hundred seventy-three thousand seven hundred fourteen (5,773,714).²⁸ Accordingly, as Figure 4.3 above shows, the estimated number of Colorado residents living in a CIC is approximately two million seven hundred twenty thousand nine hundred and thirty-six (2,720,936), or approximately forty-seven and one-tenths percent (47.1%) of the total population of the State of Colorado.

Please note that the actual number of units located in CICs and, therefore, the likely population subject to CICs in Colorado is greater, however, this analysis is based on the actual Active and Expired registrations with the Division.

²⁷ See <https://www.census.gov/quickfacts/>

²⁸ See https://www.census.gov/search-results.html?q=household+average+population+colorado&page=1&stateGeo=none&searchtype=web&cssp=SERP&_charset_=UTF-8

4.4 Management Type

Among the various data collected by the Division pursuant to § 38-33.3-401, C.R.S. is information on the management arrangement of CICs. Options included in the Division's database include (a) Self-Managed and (b) Professionally Managed. As noted in previous Annual Reports, these two options are utilized for tracking purposes and are accurate and reliable. Nevertheless, the level at which a professionally managed CIC may utilize the services of a professional management company varies significantly. For more information on what the HOA Center commonly refers to as "hybrid" management, the HOA Center offered an HOA Forum on August 12, 2022, on the topic wherein the HOA Center discussed possible scenarios for hybrid management.²⁹ Generally, a hybrid management arrangement may occur when a CIC board elects to delegate certain responsibilities to a professional management company but retains other responsibilities.

An inquiry commonly received by the HOA Center is that if a CIC has a professional management company, is the CIC board free of most, if not all, responsibilities? The answer is no. A professional management company acts as an agent of the CIC board, but the relationship does not release the board of its duties. By virtue of the agency relationship between the two parties, the actions of the professional management company are a direct reflection of the CIC board. It is important that all CIC board members understand that whether the CIC is self-managed, professionally managed, or utilizes some form of hybrid management, the CIC board is still ultimately responsible for complying with the CIC's governing documents and applicable law.

At the end of 2023, there were eight thousand one hundred and forty (8,140) active registrations with the Division. The historical proportions between self-managed and professionally managed CICs continue to be like years prior to 2023. As Figure 4.4 below shows, of the eight thousand one hundred and forty (8,140) active registrations in Colorado, six thousand four hundred eighty-six (6,486) registrations reported professional management while one thousand, six hundred fifty-four (1,654) reported that the CIC is self-managed.

²⁹ See <https://dre.colorado.gov/recent-hoa-forums>.

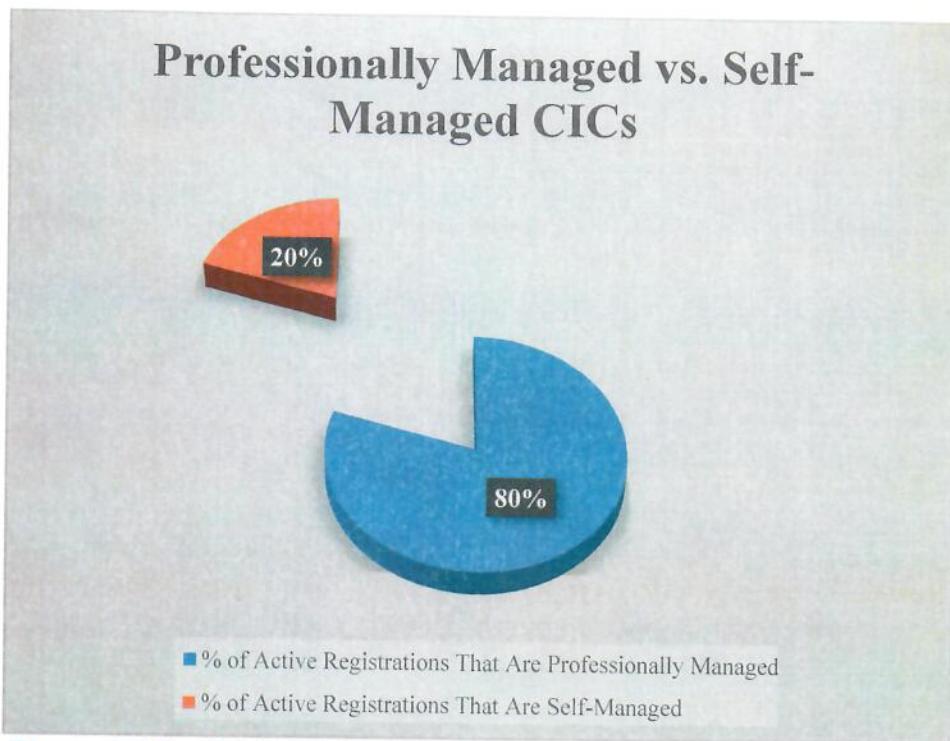


Figure 4.4 Professionally Managed vs. Self-Managed CICs In Colorado

Further analysis provides additional color to the divide between self-managed and professionally managed CICs. Of the one thousand six hundred fifty-four (1,654) active self-managed CICs at the end of 2023, about sixty-one percent (61%) are in communities identified as Planned Communities, about thirty-five percent (35%) are in communities identified as Condominiums, and only about four percent (4%) are in communities identified as Cooperatives. Figure 4.5 demonstrates these proportions.

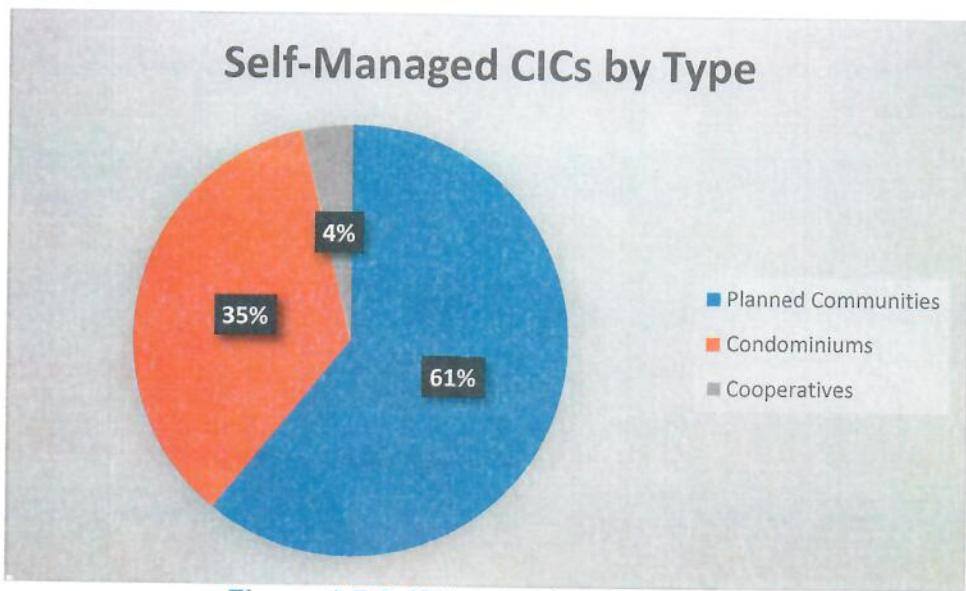


Figure 4.5 Self-Managed CICs By Type

A similar analysis for professionally managed CICs can be found below. Of the six thousand four hundred eighty-six (6,486) active professionally managed CICs, forty-nine percent (49%) are in communities identified as Planned Communities, fifty percent (50%) are in communities identified as Condominiums, and only about one percent (1%) are in communities identified as Cooperatives. Figure 4.6 demonstrates these proportions.

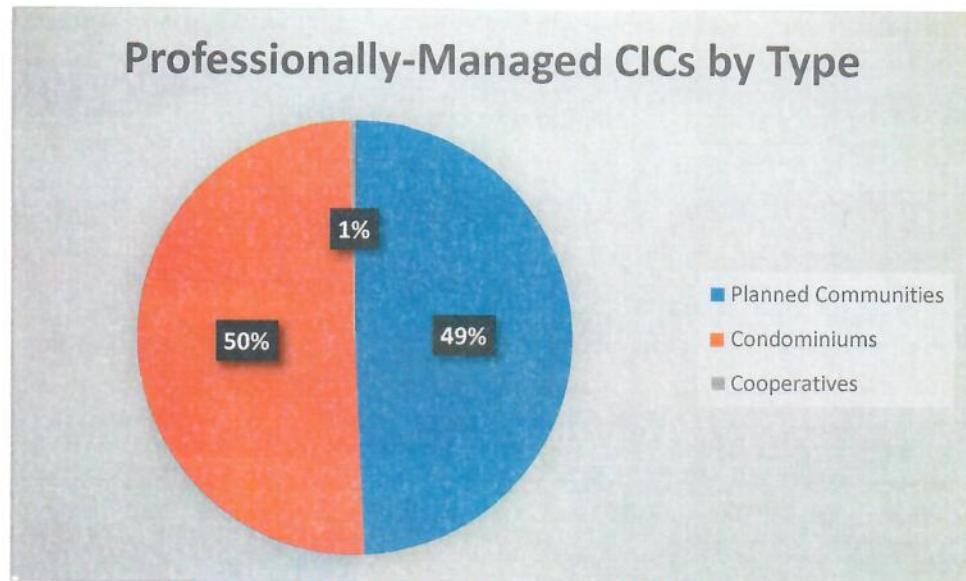


Figure 4.6 Professionally Managed CICs By Type

The statistics collected and reported by the Division and HOA Center continue to show a preference for professional management, *with the important caveat that hybrid management arrangements are included in the professional management statistics*. Furthermore, the preference shown by CIC boards across the State of Colorado for professional management appears to have increased in the years since the termination of the Community Association Manager Program (“CAM Program”), which was housed in the Division from January 1, 2015, until July 1, 2019. For instance, in the HOA Center’s 2018 report, completed before the CAM Program was terminated, approximately sixty-one percent (61%) of the registered CICs were reported to be professionally managed while thirty-nine percent (39%) were reported to be self-managed.³⁰ When compared to the current Report, professionally managed CICs have increased by approximately nineteen percent (19%) in the present year.

³⁰ 2018 Annual Report of the HOA Information and Resource Center, available at: https://drive.google.com/file/d/0B1VD36mBge1EX1FLbWx3al91chJ6enh0NnotTk9maU14VC1v/view?resourcekey=0-tgFShI_avv9bkVoaknhF6Q.

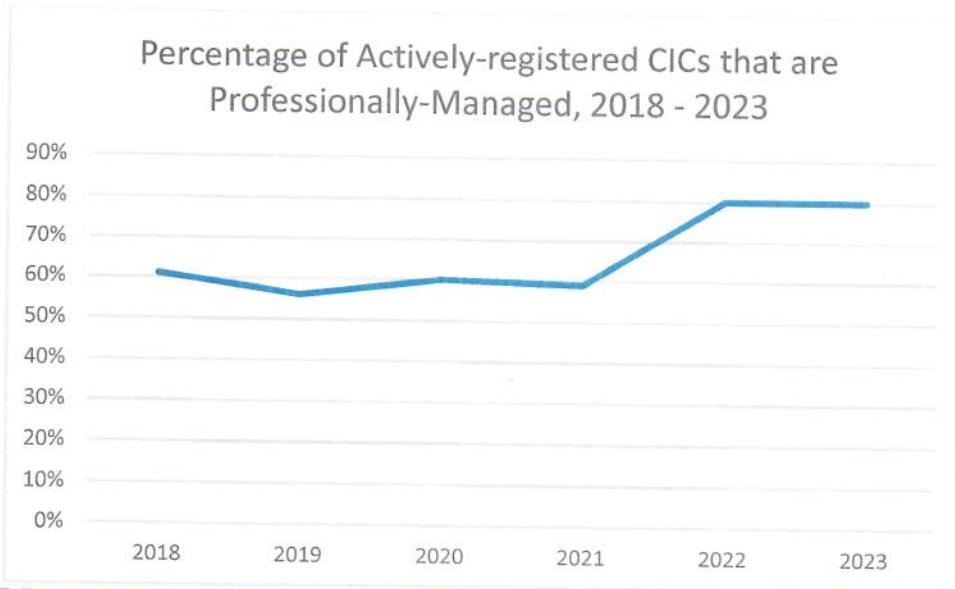


Figure 4.7 Percentage of Actively registered CICs that are Professionally Managed, 2018 - 2023

Any preference for self-managed or professionally managed communities is directly related to a variety of factors discussed in the HOA Center's August 12, 2022, HOA Forum.³¹ Since every CIC is different, considerations for the board may be, but are not limited to, the community size, the community location and availability of a professional management company in the community's geographic area, the cost of professional management, the experience level of board members, the time-availability of the board members, and the type of amenities the community offers to unit members.

5. Inquiries

5.1 General Inquiries

During 2023, the HOA Center received a total of four thousand four hundred twenty-eight (4,428) inquiries which is an increase of approximately four percent (4%) over the number of inquiries received in 2022 and an increase of approximately twenty-one percent (21%) over the number of inquiries received in 2021. Figure 5.1 shows the total number of general inquiries received annually by the HOA Center since 2020.

³¹ See <https://dre.colorado.gov/recent-hoa-forums>.



Figure 5.1 Total General Inquiries Received by the HOA Center, 2018-2023

These inquiries were received from a variety of sources including homeowners, tenants, CAMs, attorneys, real estate brokers, title agencies, members of the public interested in learning more about living in a CIC, and current board members of CICs. During 2023, because the Division continued to work remotely, few inquiries were addressed in-person, but rather, by email, telephone, and written correspondence.

Standard processes within the HOA Center are to provide answers to questions and to provide guidance on the inquiring party's general rights and responsibilities pursuant to applicable law. In many inquiries, references to CCIOA and/or the Colorado Nonprofit Corporation Act ("Nonprofit Act")³² are provided. When appropriate, copies or links to current law, HOA Center websites, helpful articles prepared by third parties, or other resources are delivered to the inquiring party. The HOA Center does not provide legal advice. Similarly, while the HOA Center does not provide referrals to third-party vendors, such as to an attorney specializing in the type of law sought by the inquiring party or to an accounting firm to provide tax advice, the HOA Center does make appropriate referrals to other government agencies or non-profit organizations. Some examples of referrals to agencies and non-profit organizations made in 2023 include but are not limited to the Colorado Department of Local Affairs, the Colorado Public Utilities Commission, the Colorado Civil Rights Division, Colorado Legal Services, the United States Department of Housing and Urban Development, and the two task forces created by HB23-1105 during the 2023 legislative session.

5.2 Nature of Inquiries

Due to the diversity and complexity of inquiries received, many inquiries are unable to be categorized and fall in to the "General Inquiry" category. However, the HOA Center can categorize the top twenty-five (25) inquiry types for the period from September to December 2023, as exhibited in Figure 5.2 below.

³² §§ 7-21-101-301, C.R.S.

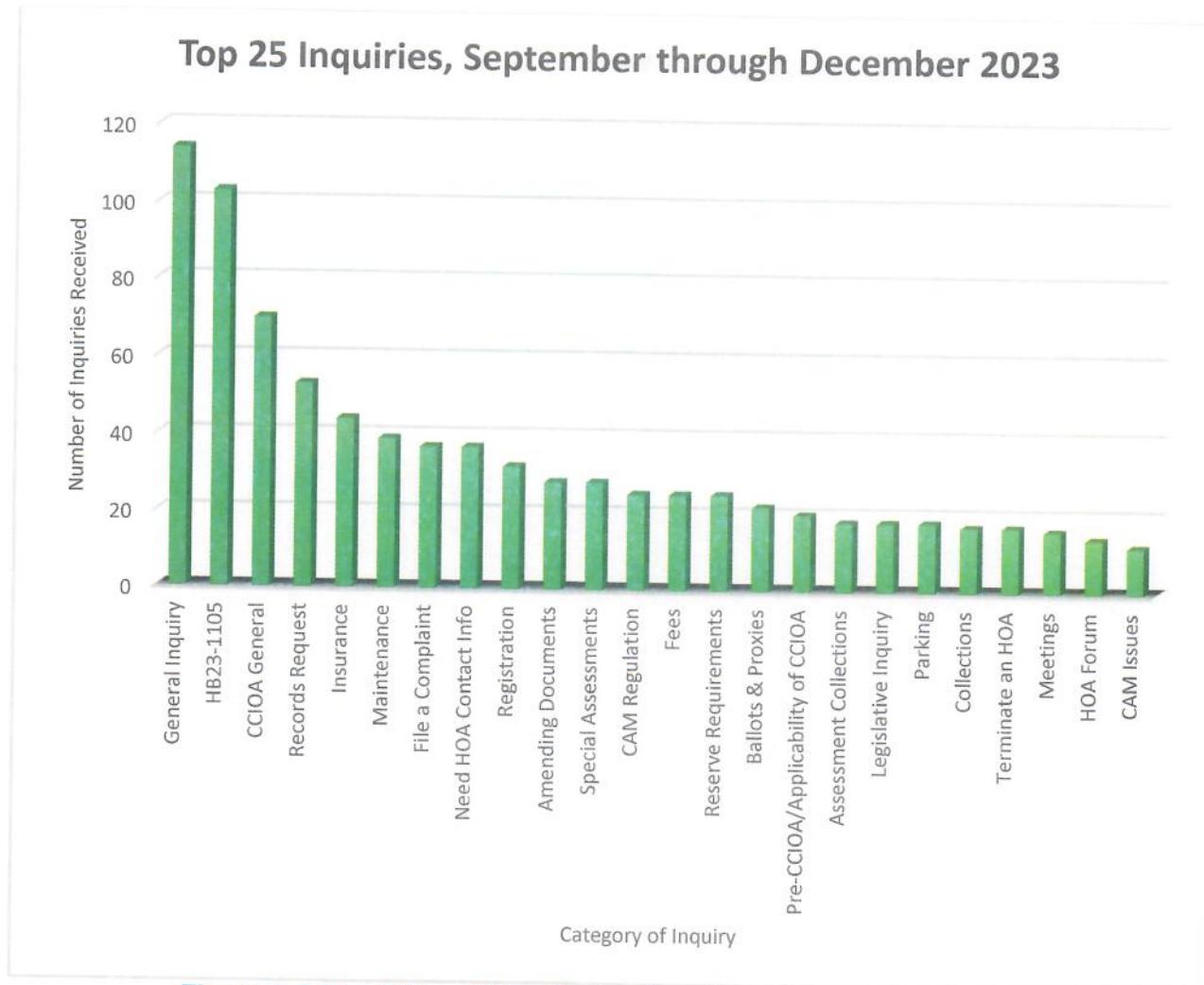


Figure 5.2 Top 25 Inquiries, September through December 2023

From August through December 2023, the HOA Center responded to over one hundred (100) inquiries related to HB23-1105, or the Homeowners Rights Task Force, including questions on how to sign up for the stakeholder engagement tool, the purpose and makeup of the Task Force, how to contact the Task Force, and general questions on how the Task Force will or will not impact any homeowner's community. In five months, the HOA Center received 53 questions pertaining to Records Request (or, which records an association is required to maintain and produce pursuant to state law).

The data in Figure 5.2 is tabulated based on the HOA Center's experience and knowledge of applicable law to categorize any inquiry. For example, a homeowner may submit a general concern as to the lack of financial records available for inspection by the homeowners in their community. Because the HOA Center's purpose is to provide interested parties with information related to their basic rights and responsibilities under state law, the HOA Officer makes the determination that the most relevant and helpful information to share with this consumer is the information found in § 38-33.3-317, C.R.S. (Association Records), and a notation is added to the "Records Request" category.

However, this is not the only type of inquiry that could be categorized as a “Records Request” inquiry. By example, if a board member called asking whether the association’s most recent annual budget must be produced to a potential homebuyer in the community (not an owner), this may also fall under the “Records Request” category. The information promulgated by the HOA Center is not skewed toward one party or another, and its methodology is based on a position of neutrality.

Other categories can be roughly broken down as follows:

- **“CCIOA General”:** The role of the HOA Information & Resource Center including statutory authorization and mandates; the applicability of the Colorado Common Interest Ownership Act; and the rights of a CIC related to its ability to enforce its covenants, bylaws, and rules & regulations.
- **“Need HOA Contact Info”:** A potential homebuyer asking for HOA board member contact information; an existing owner asking for the principal address of the current CAM; or a current homeowner asking for the name of their CIC.
- **“Assessment Collections”:** A homeowner requesting their current assessment amount owed; a board member inquiring how to file a lien on a delinquent unit; a board member inquiring about the “average” assessment rate in Colorado, or an aggrieved homeowner seeking information on rate increases in their community.
- **“Registration”:** A homeowner wanting to know an association’s legal authority if the association is not registered with the HOA Center; a real estate broker wanting to download a list of all Active HOAs in a particular County; or a Designated Agent emailing for instructions how to reset their login credentials.
- **“Meetings”:** Homeowners wanting to know state law as it pertains to various meeting types (unit owner meeting, board meeting, or special meeting); tenants wanting to know what board members may or may not talk about during an executive session; or officers seeking information on meeting notice requirements.

6. Complaints

While most of the complaints received by the HOA Center tend to be from homeowners, the HOA Center accepts complaints from all parties affected by, living in, or working with CICs. In the year 2023, the HOA Center received an almost identical number of complaints when compared to 2022. In the period between January 1, 2023 and December 31, 2023, the HOA Center received three hundred twenty-seven (327) complaints compared to three hundred twenty-eight (328) complaints in the period between January 1, 2022 and December 31, 2022. Figure 6.1 below compares 2023 complaints to 2022 complaints by month.

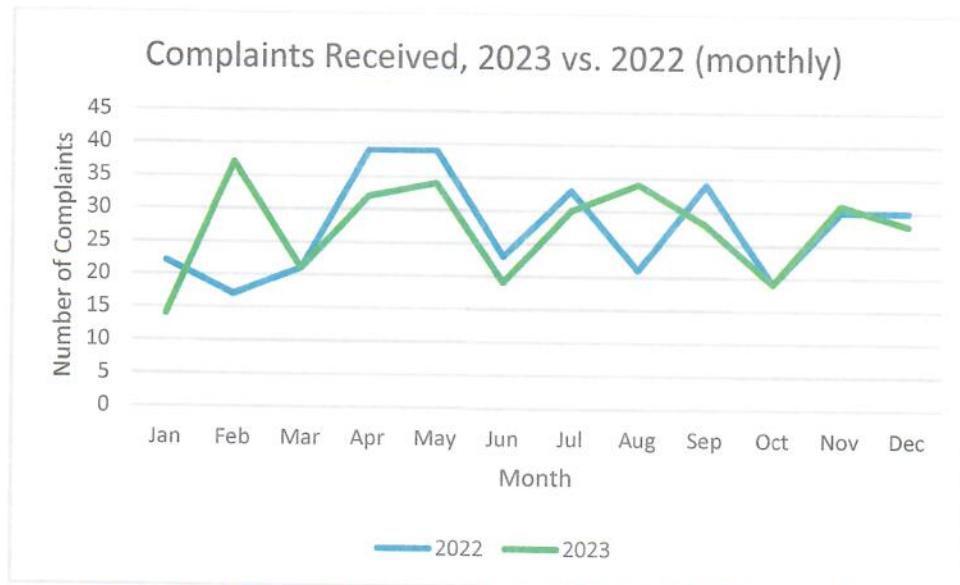


Figure 6.1 Complaints Received, 2023 vs. 2022 (monthly)

The HOA Center has elected to receive complaints by a variety of methods to ensure that the HOA Center does not inadvertently exclude any portion of the population. Accordingly, the HOA Center accepts complaints via online submission, electronic mail, telephone, facsimile, and mail. Additionally, since some complainants have expressed concerns about retaliation in the event a complaint has been filed, the HOA Center also permits complaints to be filed anonymously. In 2023, the HOA Center received fifty (50) anonymous complaints, or about fifteen percent (15%) of the total number of complaints received.

6.1 Complaint Categories

A list of complaint categories utilized by the HOA Center in its analysis of 2023 complaints is included below. The complaint category “Use of Amenities” was added to represent those complaints in which a unit owner’s ability to use a common element amenity (such as a pool or fitness center) was compromised.

- Accounting/Finances (Assessments/Fines/Interest/Budgeting/Audit)
- Communication with Homeowners/Board
- Conflicts of Interest
- Declarant Not Following Through with Transfer of Control
- Discrimination
- Diversion/Theft/Fraud/Misappropriation/Deception
- Elections and Voting
- Excessive Assessments, Fees, or Fines/Collections/Foreclosure
- Failure to Produce Records
- Harassment/Retaliation/Intimidation
- Health & Safety/Security
- Improper/Selective Enforcement of Covenants
- Insurance
- Liens
- Meetings

- Misc. (Green Energy, Pets, Pools, Satellite Dishes, Political Signs)
- Not Following Governing Documents
- Not Performing Maintenance/Repairs/Construction Defects
- Nuisance
- Parking
- Regulatory Compliance & Registration
- Reserves
- Use of Amenities
- Xeriscaping/Landscaping

6.2 Complaint Category Origination

When analyzing the complaint categories identified by the HOA Center, the data is categorized in several ways including by Region, Community Type, CIC Size, Management Arrangement, and by Respondent Type.

Complaint Category by Region: The HOA Center has analyzed the regional breakdown of complaints for purposes of tracking complaint elements in the state. Figure 6.2 below shows the regional divisions of the state for tracking purposes.

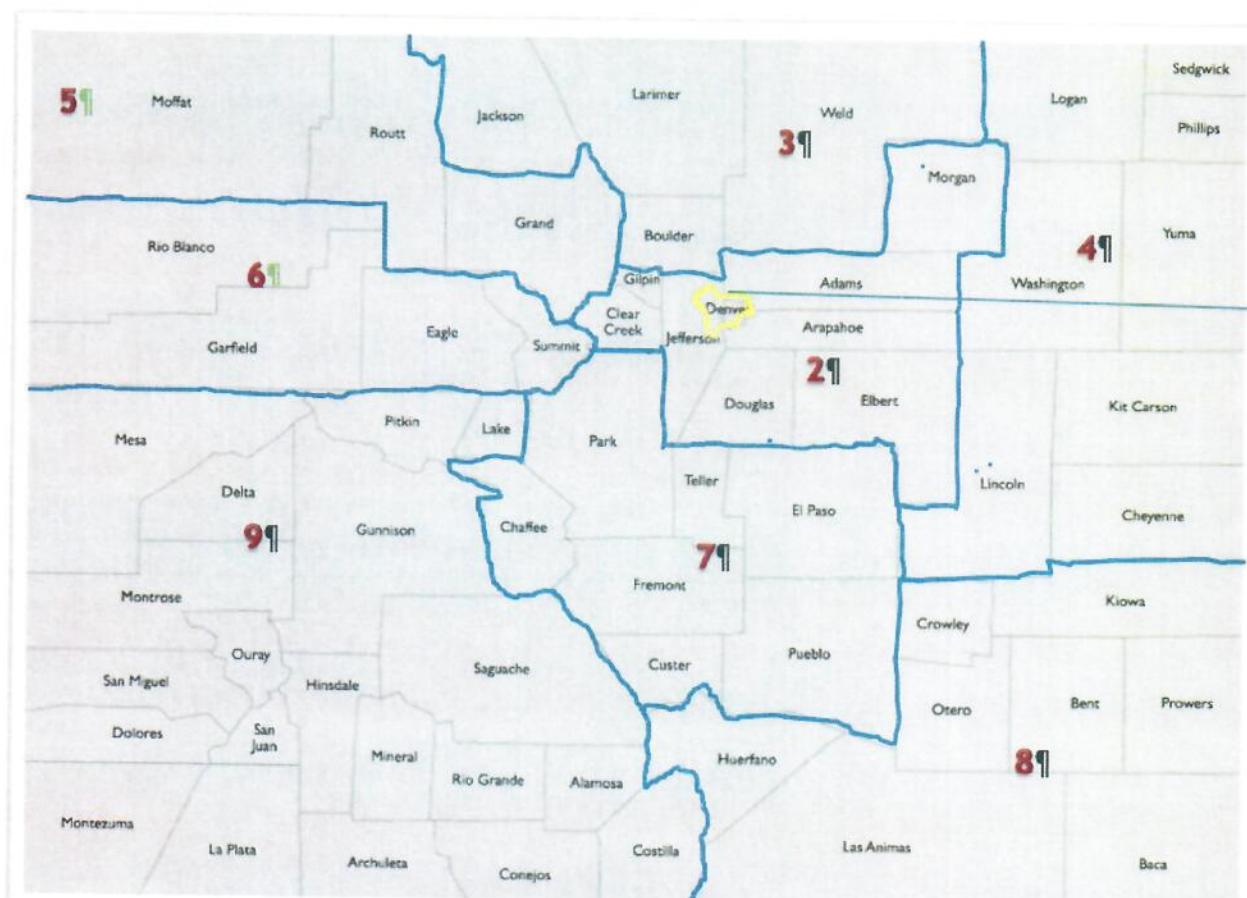


Figure 6.2 Regional Division of the State of Colorado by The HOA Center

As Figure 6.3 below indicates, the three regions of Denver Central, Denver Surrounding, and the Greater Front Range comprise most of the complaints identified by the HOA Center in 2023, approximately sixty-nine percent (69%), with most of the remaining complaint elements originating from the South Central (Colorado Springs) and Northwest (Grand Junction) regions.

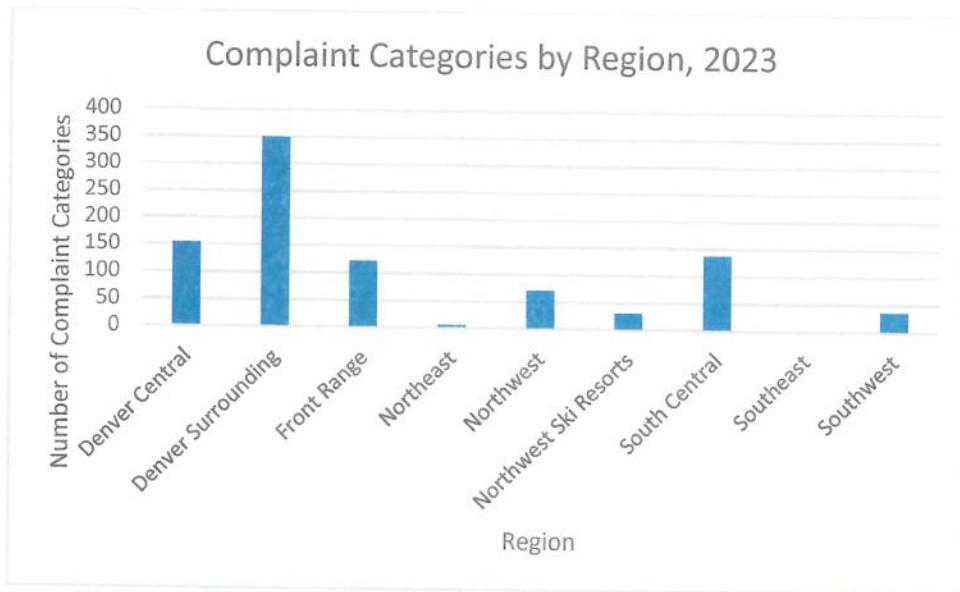


Figure 6.3 Number of Complaint Categories by Region, 2023

By Community Type: As referenced earlier, the HOA Center identifies three (3) primary types of CICs: planned communities, condominiums, and cooperatives. For complaint tracking purposes, the HOA Center also identifies a fourth type of CIC: timeshares, which satisfy the definition of a CIC pursuant to CCIOA.³³ Timeshares are required to be registered with the Division in the same manner as other CICs. When a complaint is submitted to the HOA Center which identifies a CIC that is not registered with the Division, the HOA Officer is unable to determine the community type. Accordingly, there are some complaints with an “Unidentified” community type.

Figure 6.4 below shows the number of complaint categories according to the type of community. Notably, many of the complaint categories pertain to condominiums and planned communities.

³³ § 38-33.3-103(8), C.R.S.

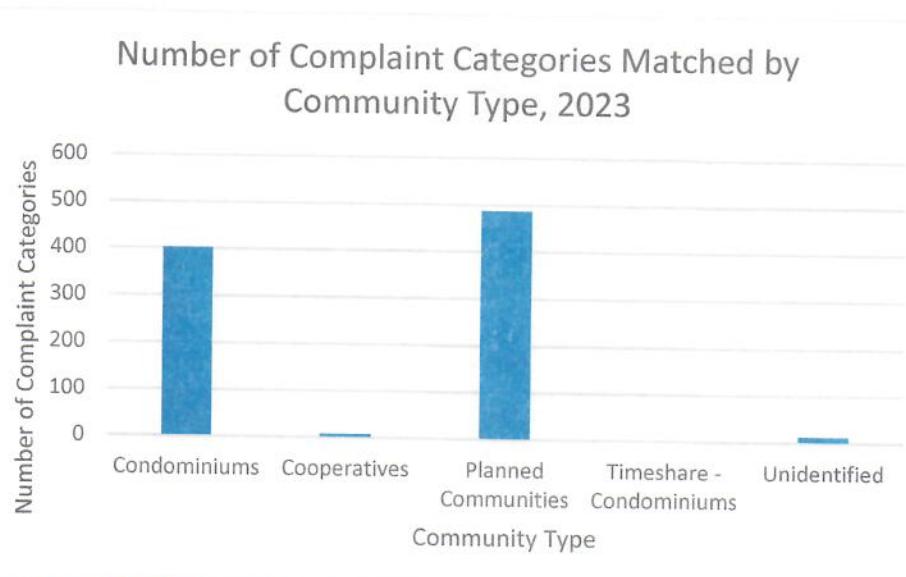


Figure 6.4 2023 Complaint Categories Matched by Community Type, 2023

By CIC Size: Another useful metric tracked by the HOA Center is the number of complaints by the size of the CIC. A brief analysis of the actively registered CICs in Colorado as of December 31, 2023, shows that the median number of units for actively registered CICs in Colorado is forty-two (42) units and the average number of units in actively registered CICs in Colorado is approximately one hundred ten (110). Figure 6.5 shows the number of actively registered CICs in Colorado based on each CIC's number of units.

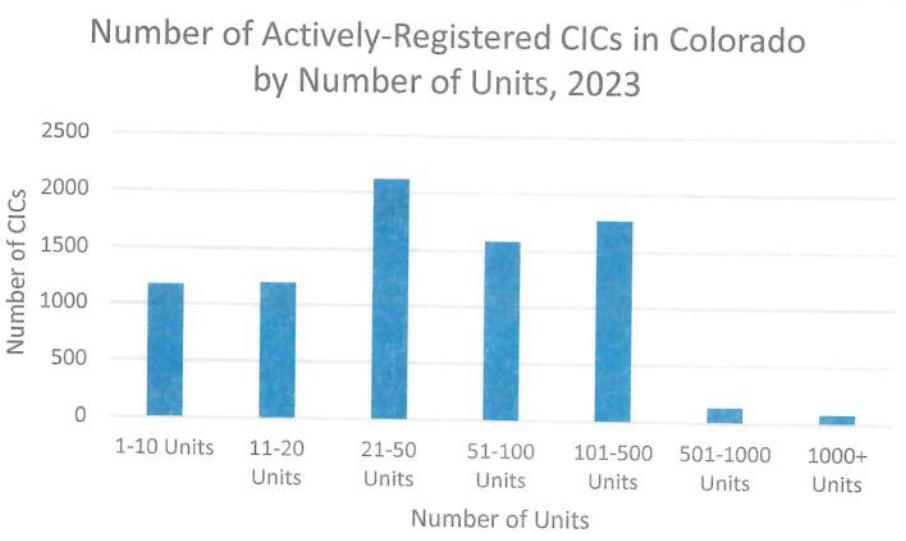


Figure 6.5 Number of Actively Registered CICs in Colorado by Number of Units, 2023

As illustrated in Figure 6.6 below, the greatest number of complaint categories received in 2023 was for CICs with between one hundred one (101) and five hundred (500) units. A noticeable drop in complaint categories occurred when comparing those CICs with 101-500 units and those CICs with 501-1000 units. CICs with 101-500 units received four hundred twenty-six (426) complaint categories, while CICs with between 501-1000 units received only

twenty-seven (27) complaint categories, a decrease of about ninety-four (94) percent. While the data is self-reported by CICs and analyzed by the HOA Center, a reasonable conclusion is that the larger CICs (those with at least 501 units or more) are more well-ran by professional management companies when compared to smaller, self-managed CICs. This might be due to larger CICs having more funds to allocate to compliance and dispute resolution.

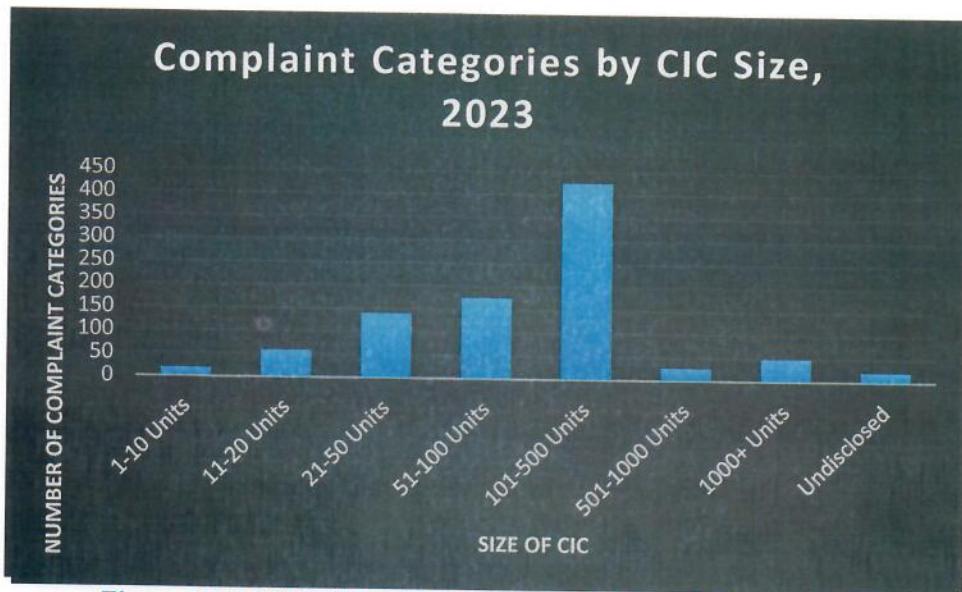


Figure 6.6 2023 Complaint Categories by CIC Size, 2023

By Management Arrangement: The HOA Center also tracks complaint elements based on the management arrangement: whether the CIC is self-managed or professionally managed. As discussed previously in this report, approximately twenty percent (20%) of the communities in Colorado report that they are self-managed, while the remaining eighty percent (80%) are professionally managed.³⁴ The number of complaints received by the HOA Center reflects a similar proportion. As Figure 6.7 below indicates, approximately twenty-seven percent (27%) of complaints pertain to self-managed communities, and approximately seventy-one percent (71%) pertain to professionally managed CICs.

³⁴ See Figure 4.4.

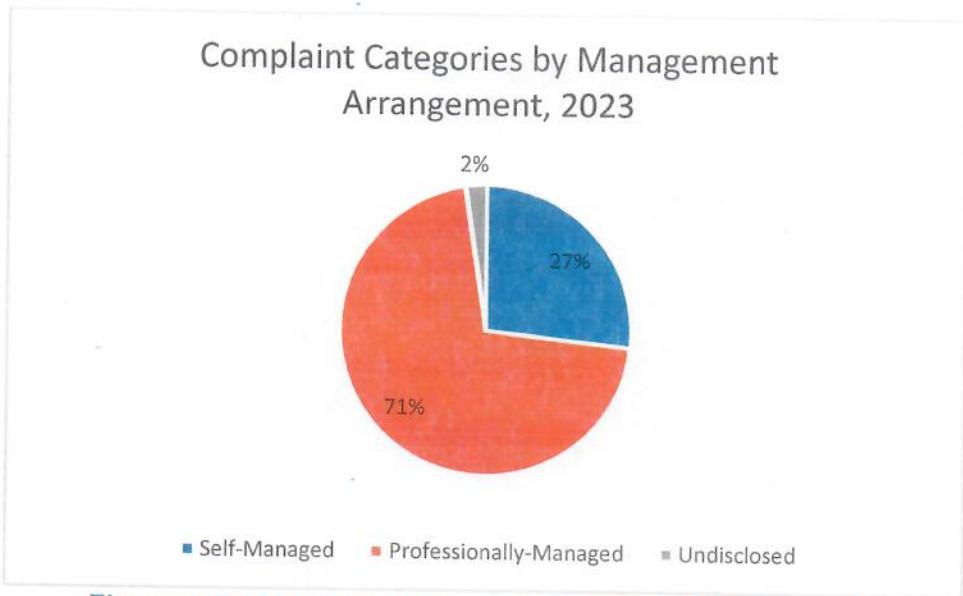


Figure 6.7 2022 Complaints by Management Arrangement

The three figures above (6.5, 6.6, and 6.7) illustrate that many issues submitted to the HOA Center relate to the performance/action of professional management companies that manage between 21-500 units.

By Respondent Type: The HOA Center tracks complaints based on who the complainant identifies as the party responsible for their grievance, otherwise referred to as the “Respondent”. This includes whether the Respondent is: (a) an individual board member (or the board collectively), (b) a CAM (individual manager or management company), or (c) the Declarant. A common misunderstanding that some complainants share is the difference between their CIC and their CAM: misidentifying their CIC as their CAM, or their CAM as their CIC. In complaints where the complainant does not expressly state who the offending party is, the HOA Officer is required to carefully review all available information to determine the responsible party or contact the complaining party for more information.

In matters where a CAM is identified as the Respondent, the CIC board is not cleared of responsibility merely because a complaint is directed specifically toward a CAM. For example, a CAM may have forgotten to schedule a required annual meeting or allow for a vote to be taken at a budget ratification meeting. While the CAM likely is acting outside of compliance with CCIOA, in this case, the CIC Board is also responsible for ensuring their managing agent (the CAM) is adhering to applicable law or acting appropriately. In such cases, the complaint is tracked against the CIC Board.

With that being understood, in 2023, the HOA Center observed a large proportion of complaints directed at individual board members or boards, with approximately seventy percent (70%) of all complaint elements lodged against the CIC Board. Twenty-nine percent (29%) of complaint elements were against a manager or management company, with the remaining one percent (1%) directed toward the Declarant. The HOA Center expects to observe continued variation in the proportions set forth below in Figure 6.8 as development trends in Colorado change over time.

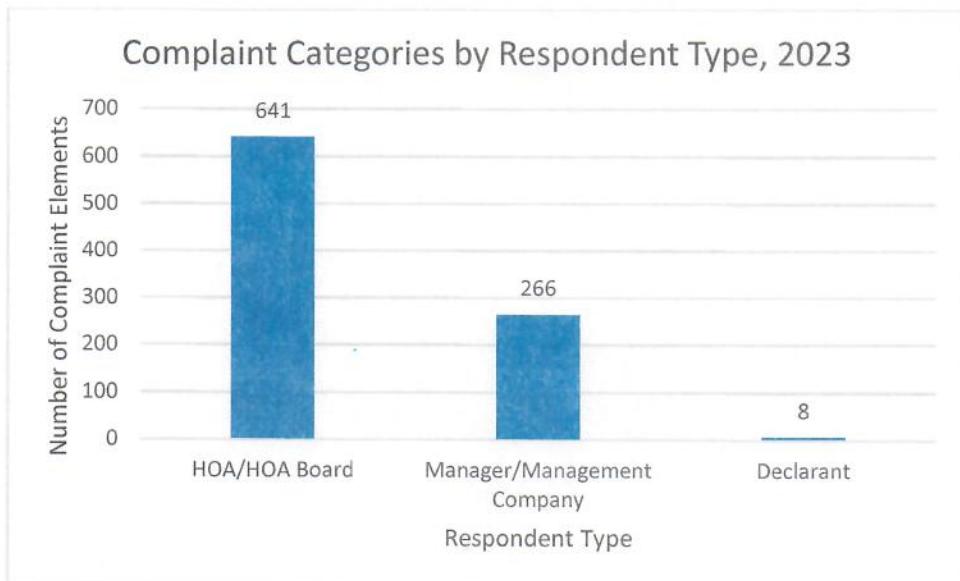


Figure 6.8 2022 Complaints by Respondent Type

6.2 Complaints by Issue

Although the HOA Officer engages in discussion or correspondence with the complainant (except in the case of anonymous complaints), due to the HOA Center's lack of jurisdiction to investigate or enforce applicable Colorado law, the HOA Officer can utilize the filing of a complaint to provide resources and information to the complainant, as discussed further in this Report. Nevertheless, complaints received by the HOA Center are self-reported. As such, the HOA Center relies on the information provided in the complaints as well as any follow-up correspondence with the complainant to reasonably categorize and report on the issues and concerns contained in the complaints it has received.

Each complaint received by the HOA Center is carefully reviewed for the issues and concerns therein and additional information is sought from the complainant when applicable. In 2023, the HOA Center categorized complaints received into twenty-four (24) different issues (complaint elements or categories), as enumerated in Section 6.1 above. The twenty-four (24) issues encompass the wide array of complaints received by the HOA Center, however, in 2024, the HOA Center intends to reexamine the number of categories to provide a level of detail necessary to allow an interested stakeholder to make an informed judgment on the nature of Colorado HOA complaints.

As was the case in the 2022 Report, the complaint area for which the HOA Center continues to see the most issues is in "communication." While this issue category is broad because it covers (1) communication complaints from unit owners about board members or CAMs, (2) tenants complaining about communication with board members or CAMs, (3) real estate professionals like title companies and real estate agents complaining about communication with board members or CAMs, and (4) board members complaining about communication from CAMs, the prevalence of these types of complaints is important to note. In 2023, communication issues constituted more than one hundred sixty-nine (169) complaints. Accordingly, the HOA Center has made communication tips an important theme in many of its HOA Forum presentations. By identifying the required communications for these entities, but also encouraging additional non-required communications, CICs can more

effectively address many of the questions, concerns, and complaints which tend to arise between disputing parties.

In 2023, the HOA Center continued to receive complaints from real estate brokers and other real estate professionals. The most frequently complained about issue from brokers pertained to the provision of governing documents during a real estate transaction, as section 7 of the Colorado Real Estate Commission's Contract to Buy and Sell Real Estate (Residential)³⁵ (the "CBS") specifically requires sellers to provide certain CIC documents. If the seller is not in possession of the most current set of documents listed in section 7 of the CBS, then they must request them from their CIC. In 2023, just like in previous years, the HOA Center continued to hear from brokers and title companies who are having trouble obtaining these documents, even after sellers have allegedly properly requested them.

Figure 6.9 below sets forth the complaint elements received by the HOA Center in 2023, broken down by type.

³⁵ See <https://dre.colorado.gov/real-estate-broker-contracts-and-forms>.

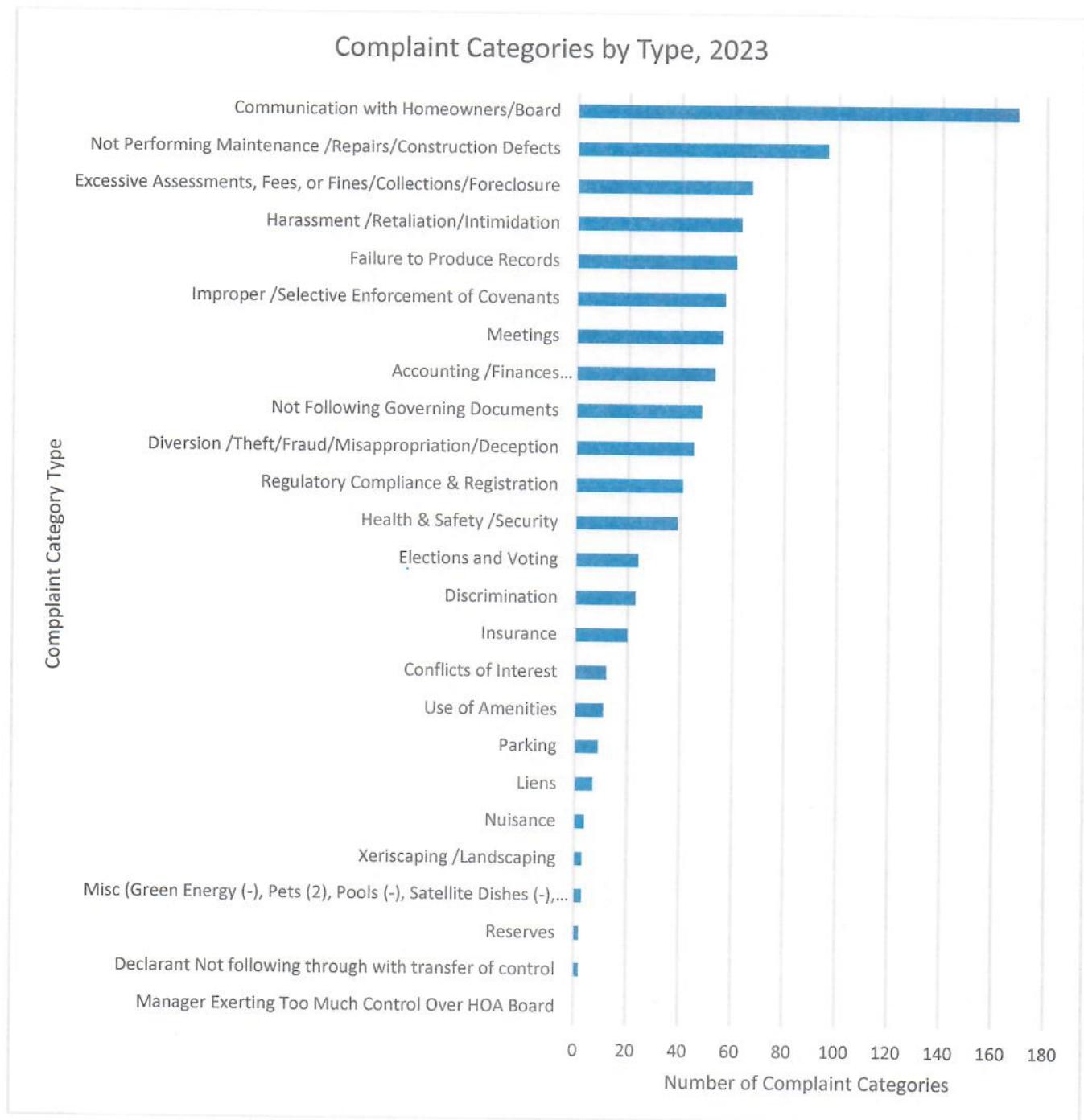


Figure 6.9 2023 Complaint Categories by Type

7. Accomplishments & Objectives

7.1 Review of 2023

During 2023, the HOA Center continued to focus on various methods of outreach and education. While most inquiries received by the HOA Center were from homeowners seeking information, the HOA Center increased its outreach and training efforts, focusing on board members and professional management company duties. Many of the HOA Forums were specifically tailored to board members and professional management companies to assist those parties in understanding and conducting themselves in accordance with applicable law. This focus and attention were not at the expense of individualized attention to unit owners and other interested parties though. By providing timely responses to inquiries and inviting consumers to reach out regularly, whether that was by telephone, electronic mail, or by visiting the HOA Center website, the HOA Center has improved access to information and education on CICs in Colorado.

HOA Forums conducted during 2023 allowed attendees an opportunity to participate in robust question and answer and discussion. The HOA Center believes that one of the ways that interested parties can learn is by way of hearing the experiences and questions that people in other CICs have encountered, and how those individuals have addressed those issues. By dedicating time to attendees' questions, the HOA Officer has been able to successfully emphasize issues and themes and provide "real world" examples of the topics addressed in presentations.

In 2023, the HOA Center interviewed with media entities concerning the following HOA-related topics:

1. Enforcement of HOA Complaints
2. Home-Operated Businesses
3. HB22-1137 Pass Through Costs
4. HOA Assessment Increases
5. HOA Task Force Survey Materials

The HOA Center has continued to grow its presence on YouTube by offering a variety of YouTube presentations. The data in Figure 7.1.2 is current as of February 15, 2024.

Number of YouTube Views for YouTube Presentations Offered by the HOA Center, 2023

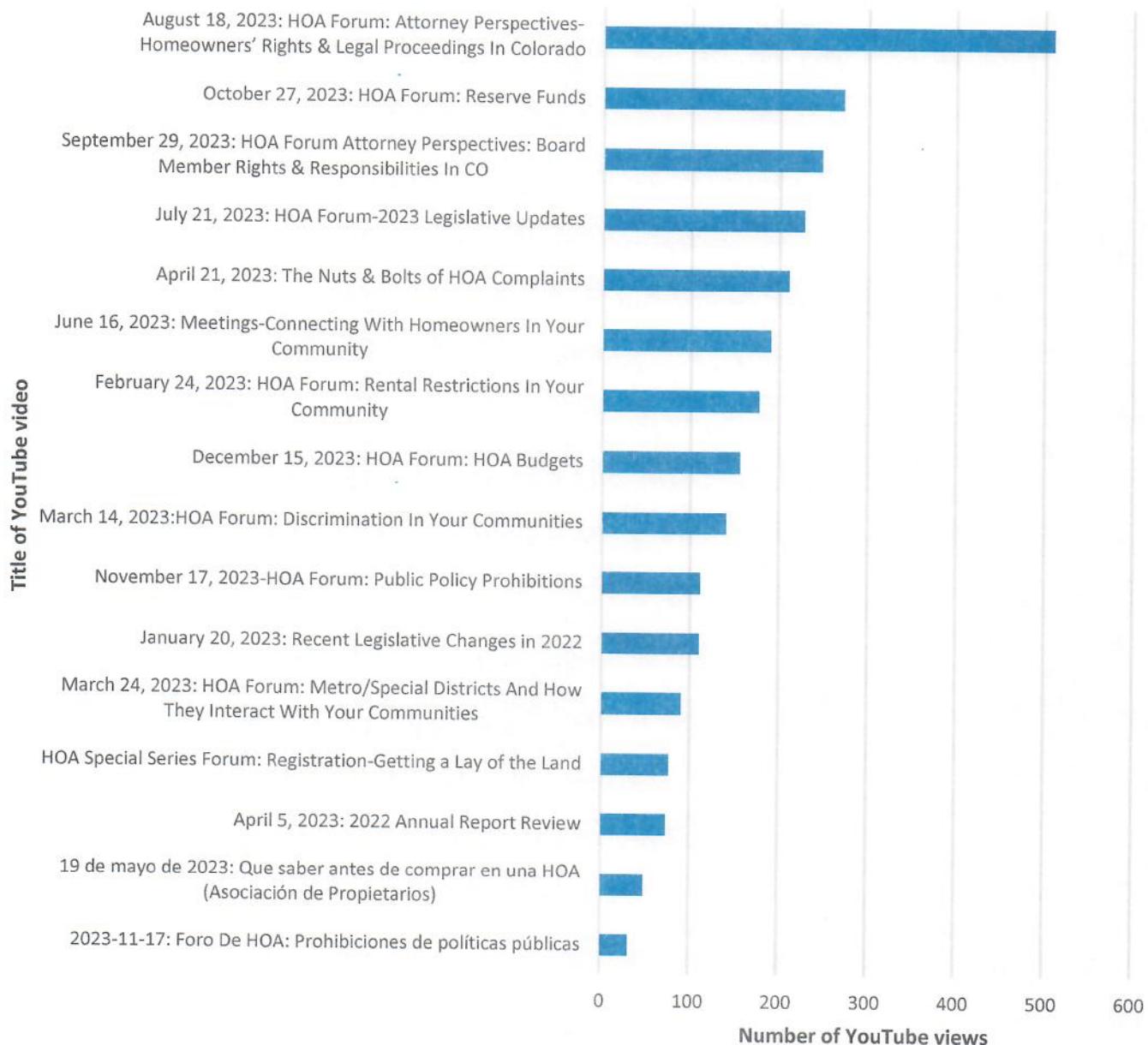


Figure 7.1.2 Number of YouTube Views for YouTube Presentations Offered by the HOA Center, 2023

The data suggests consumers are most interested in attorney perspectives as they relate to homeowner rights and obligations of living in a CIC, as well as HOA-topics such as Reserve Funds, Meetings, and Legislative Updates. The low number of views for Spanish-translated topics does not necessarily mean the Spanish-speaking population is not interested in HOA matters: rather, this more likely means the Colorado Spanish-speaking population is not aware of the resources offered by the HOA Center, and additional outreach is needed.

Technology, generally, has allowed the HOA Center to carry out its goals more successfully and further its mandate. Through continuous website enhancement and utilization of online webinars, the HOA Center has been able to successfully reach all geographic regions of Colorado, and even beyond.

7.2 Goals for the Office in 2024

The HOA Center will continue to provide consumers with new and useful information and education related to CICs. Through additional information and outreach initiatives, the HOA Center will continue to expand its footprint in Colorado. Topics include one's rights and responsibilities of buying into and living in an HOA and board member-focused training. The HOA Center understands that outreach in languages other than English is important. In 2022, the HOA Center's website has added a "translate tool", allowing viewers to read in more than one hundred thirty (130) languages, expanding presentations and accessibility will be an important key to the HOA Center's effectiveness in 2024 and beyond.

8. Important Resources for Readers

8.1 Reader Resources

Through carrying out its obligations, the HOA Center has produced an ever-increasing body of resources for interested parties seeking to learn more about CICs in Colorado. In addition to the resources available on the HOA Center website³⁶, below is a list of additional resources that offer information for CICs, community association management companies, and unit owners.

Colorado Bar Association: The Colorado Bar Association ("CBA") is an organization committed to supporting the justice system and enriching communities across Colorado. The CBA has many resources³⁷, but one of the most referenced resources by the HOA Center is "Licensed Lawyer", a tool available to the public to assist in finding a lawyer who may be able to assist with legal needs.³⁸ Searchable by areas of expertise, experience level, service options, and payment options, Licensed Lawyer is a helpful directory assisting members of the public find an attorney.

Colorado General Assembly: The Colorado General Assembly website is an excellent resource for any member of the public to learn more about the legislative process, specific bills affecting CICs, and who are a constituent's Representative and Senator.³⁹ For those individuals seeking information on a specific bill, the Colorado General Assembly has a Search By Bill tool.⁴⁰ During the legislative session, members of the public can review the session schedule and attend most hearings, either in person or via webcast.⁴¹ Finally, one of the most referenced tools that the HOA Center directs the public to is the Colorado General

³⁶ See <https://dre.colorado.gov/hoa-center>.

³⁷ See <https://www.cobar.org/>.

³⁸ See <https://www.cobar.org/Licensed-Lawyer>.

³⁹ See <https://leg.colorado.gov/>.

⁴⁰ See <https://leg.colorado.gov/bills>.

⁴¹ See <https://leg.colorado.gov/session-schedule>.

Assembly's Find My Legislator tool which allows a constituent to search by street address to identify their state Senator and Representative in the Colorado State Legislature.⁴²

Colorado Judicial Branch: The Colorado Judicial Branch website offers information on the various levels of courts in the State of Colorado.⁴³ The website offers information on the courts, how to initiate or respond to judicial actions, and forms for use by unrepresented parties and attorneys, as well.

Colorado Legal Services: Finding an attorney can be a challenging process. There are many considerations for an interested party to consider: experience, cost, expertise, and payment options are only a few. In addition to the CBA's Licensed Lawyer tool, referenced in this section, some individuals in Colorado may qualify for discounted or free legal services. Colorado Legal Services is one organization that may be able to assist low-income Coloradans and seniors.⁴⁴

Community Association Institute: The Community Association Institute ("CAI") is a private trade group that offers information to users on the selection of a community association manager, education, finding vendors, and other considerations.⁴⁵

⁴² See <https://leg.colorado.gov/find-my-legislator>.

⁴³ See <https://www.courts.state.co.us/>.

⁴⁴ See <https://www.coloradolegalservices.org/>.

⁴⁵ See <https://www.caionline.org/pages/default.aspx>.