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Laws and Regulations

- [Colorado Condominium Ownership Act](#), Co. Rev. Stat. § 38-33-101, et. seq.: The Act includes provisions governing the formation, management, powers, and operation of all common interest communities created before July 1, 1992.
- [Colorado Common Interest Ownership Act \(CCIOA\)](#), Co. Rev. Stat. § 38-33.3-101, et. seq.: The Act governs the formation, management, powers, and operation of all common interest communities in Colorado, regardless of when those communities were created. However, some provisions apply only to communities created after July 1, 1992.
- [Colorado Revised Nonprofit Corporation Act](#), Co. Rev. Stat. § 7-121-101, et. seq.: The law governs nonprofits with regard to corporate structure and procedure. If an association is organized as a nonprofit, it will be governed by this Act. Visit the [Colorado Secretary of State](#) to find an association's corporate status.
- [Colorado Fair Debt Collection Practices Act](#), Co. Rev. Stat. § 5-16-101, et. seq. The law regulates debt collection practices at the state level and contains provisions similar to the [Federal Fair Debt Collection Practices Act \(FDCPA\)](#). The Act prohibits debt collectors from using abusive, unfair, or deceptive practices when attempting to collect a debt.

Victims of unfair collection practices can file a complaint with the state's [Attorney General](#), the [F.T.C.](#), or the [CFPB](#). Victims may also file a lawsuit against a debt collector in state or federal court within one year from the date of the violation under the FDCPA.

- [Colorado Fair Housing Act](#), Co. Rev. Stat. § 24-34-501, et. seq. The law protects people from housing discrimination based on race, color, disability, sex, sexual orientation (including transgender status), national origin/ ancestry, religion, creed, marital status, familial status (families with children under the age of 18 or a pregnant woman), and retaliation. The Act provides state-level protections similar to the federal [Fair Housing Act](#) (F.H.A.).
 - [Discrimination in places of public accommodation](#), Co. Rev. Stat. § 24-34-601, et. seq.: The law prohibits direct and indirect discrimination in places of public accommodations on the basis of disability and contains provisions similar to the [Americans with Disabilities Act](#) (42 U.S.C. S 12101 et seq.). The law impacts the operations of homeowners associations with common elements open to the general public. Visit the [Colorado Division of Civil Rights](#) or the [United States Department of Justice Civil Rights Division](#) for more information or to file a complaint.
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Solar Rights

- [Renewable Energy Generation Devices](#), Colo. Rev. Stat. § 38-33.3-106.5 (1.5) The law provides that “[n]otwithstanding any provision in the declaration, bylaws, or rules and regulations of the association to the contrary, an association shall not effectively prohibit renewable energy generation devices, as defined in section 38-30-168.”
- [Unreasonable restrictions on energy efficiency measures - definitions](#), Colo. Rev. Stat. § 38-33.3-106.7.
- [Unreasonable restrictions on renewable energy generation devices](#), Co. Rev. Stat. § 38-30-168. The law provides that “[a] covenant, restriction, or condition contained in any

deed, contract, security instrument, or other instrument affecting the transfer or sale of, or any interest in, real property that effectively prohibits or restricts the installation or use of a renewable energy generation device is void and unenforceable.”

The law permits associations to impose reasonable restrictions on the dimensions, placement, or external appearance of a renewable energy generation device.

- [Colorado Energy Office](#) - The Colorado Energy Office provides renewable energy information and resources.

State Government Agencies

- [Colorado Department of Regulatory Agencies - Division of Real Estate](#) offers information and assistance related to homeowners’ associations, condominiums, and cooperatives.

Colorado Department of Regulatory Agencies

[Division of Real Estate](#)

1560 Broadway, Suite 925

Denver, CO 80202

Phone: 303-894-2166 | Fax: 303-894-2683

dora_realestate_website@state.co.us

- [Colorado Department of Regulatory Agencies - Civil Rights Division](#) administers the state’s civil rights laws, including the fair housing act. Victims of housing discrimination can file a complaint with this agency or [HUD](#) within one (1) year from the date of the discriminatory act. Victims may also file a private lawsuit in the federal district court within two (2) years of the discriminatory act.
- [Office of Legislative Legal Services](#) - The Office is the non-partisan, in-house counsel for the Colorado General Assembly and writes laws, produces statutes, reviews administrative rules, comments on initiated measures, and serves as a resource of authoritative information for the public.
 - [Application Of The Colorado Common Interest](#)

- [Ownership Act \(CCIOA\) In Subdivisions and Condominium Communities](#)- The law summary provides a general overview regarding the implementation of the CCIOA in subdivisions and condominium communities.
- [Regulation of Homeowners' Property Rights Within Common Interest Communities \(HOAs\)](#). This summary provides a general overview of the rights of homeowners living in common interest communities. In particular, the overview covers the homeowners' right to display the American and service flags, political signs, parking of vehicles by first responders, reasonable modifications, the use of xeriscape, or drought-tolerant vegetative landscapes, energy conservation measures, renewable energy generation devices, and more.
 - [Colorado Government Portal](#) - Search for *government* information by topic and agency.
 - [Civil Rights Division](#) - The department is responsible for enforcing the state's anti-discrimination laws in the areas of housing and public accommodations.
 - [Division of Housing](#) - Creates housing opportunities for Coloradans who face challenges in accessing affordable, safe, and secure homes.
 - [Division of Real Estate](#) - Protects consumers through licensing, regulation, and enforcement of real estate professionals.
 - [Colorado Attorney General](#) - The attorney general's office is responsible for enforcing the state's [Fair Debt Collection Practices Act](#). Homeowners having trouble with a debt collector due to abusive, unfair, or deceptive debt collection practices can [file a complaint](#) with the attorney general's office.
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HOA Information and Documents

- [HOA Directory](#) - The Colorado Secretary of State gives the public the ability to search for corporation information, including an association's contact information, list of board members, and corporation documents, such as the association's articles of incorporation. To locate relevant HOA information, enter the legal name of the subdivision or community.
 - **HOA Documents** - The association's Declaration of Covenants, Conditions, and Restrictions (CC&Rs), Amendments to CC&Rs, Bylaws, Lien Notices, HOA Notices, Plats, Maps, and other community documents can be found by visiting the county recorder's office website in which the association is located. The association's CC&Rs must be recorded with the county land records to be enforceable.
 - [Searchable Colorado Map](#) to Look-up Land Records
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Legal Resources

- [Colorado General Assembly](#) - Search your state representative and the [legislation](#) (or, "statutory law") database.
- [Colorado State Bar Association](#) - The office gives the public access to a lawyer directory, lawyer referral service, free or low-cost legal services, and information to determine if a lawyer is in good standing, verify their malpractice insurance, or file a complaint.
- [Colorado Judicial Branch](#) - The website gives the public access to court information, documents, rules, legal opinions, court cases, self-help services, lawyer referral services, and more.
- [Colorado Legal Services](#) - The office helps low-income individuals solve legal problems.

5/1 ARM
3.03%
 APR | \$300,000

15-YR FIXED
2.13%
 APR | \$300,000

30-YR FIXED
2.27%
 APR | \$300,000

DISCOVER MORE

Homeowners' Association As Vacation Destination: Short-Term Rental Restrictions in HOAs

Even if a community has a valid reason to restrict short-term rentals, it still needs legal and/or contractual authority to support the restriction. Typically, the authority comes from an HOA's declaration, from state law, or a combination of the two. A declaration is a contract among property owners in a community. The owners jointly agree to accept certain obligations and restrictions on how properties in the community can be used. If everyone complies, the community as a whole will benefit—or at least that is the idea.

Preventing the Spread of COVID-19 Within HOA Communities

On March 11, 2020, the World Health Organization declared the outbreak of COVID-19 (the medical condition caused by the novel coronavirus SARS-CoV-2), a global pandemic. HOAs and condominium associations have an essential role to play in slowing the spread of COVID-19. By applying the Center for Disease Control and Prevention (“CDC”) recommendations in the planned community setting, HOA board members, owners, residents, visitors, and employees can help prevent illness in their communities and keep their loved ones, friends, and neighbors healthy and safe.

Enforcing Conformity: Home Improvement Projects And Architectural Review Boards In HOAs

The U.S. legal system generally views any land-use restrictions with suspicion. However, the law also recognizes that reasonable restrictions are sometimes justified if they benefit the community as a whole. With that in mind, courts throughout the country have consistently upheld the right of HOAs to impose architectural restrictions as long as the restriction serves a legitimate purpose, is within the association's power under state law and/or the community's declaration, and does not violate any other law or public policy.

HOA Powers and Obligations In Emergency Situations

The fundamental purpose of a homeowners’ association is to benefit the community and its members. Usually, that means preserving the aesthetic beauty of the neighborhood by maintaining common areas and ensuring homeowners keep up their properties. Or, it might mean using pooled resources to make life easier for the entire community—through road and sidewalk repairs or snow removal, for instance. Most of the time, the overall goal is to increase property values and raise the living standard in the community. In an emergency, though, an HOA’s role can take on an entirely new dimension.

Step-By-Step Guide To The HOA Assessment Collections Process

When you purchase a property in a community with a homeowners’ association, you’re also acquiring the obligation to pay regular assessments. Unfortunately, though, homeowners are sometimes financially unable to pay assessments. Homeowners faced with potential collections action must understand how the HOA collections process works and the legal rights and redress available for both homeowners and the association. This guide will help all community members, including the board, resolve conflict, and avoid escalation.

Weathering The Storm: Coronavirus And Its Financial Impact on Homeowners

One way or another, future historians will consider the Coronavirus Pandemic among the most noteworthy events of the early 21st Century. The full economic impact on homeowners and their families cannot yet be precisely predicted, but it is likely to be immense. Taking the necessary precautions to avoid exposure to the virus and preparing for the financial ramifications will require prudence, careful planning, and maybe even a little creative thinking. Homeowners can't completely avoid the fallout from Coronavirus, but there are a few measures that could hopefully soften the blow.

Congress Gives Veterans Mortgage Relief Program

Congress passes mortgage relief program for veterans. The program itself is totally free and adds no cost to your refi. If you own a home, don't go another month without reading this. (Yes, it really works.)



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Recalculate Your House Payment

VeteranLoans ONLINE

RESOURCES

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HOMEOWNERS PROTECTION BUREAU, LLC

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