

# *Colorado* Homeowners Association *Law*

## **CCIOA 101 for HOA Boards: Secret Ballots**

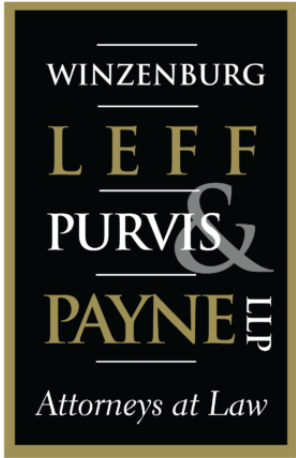
By Molly Foley-Healy on June 20, 2012

We often receive inquiries from HOA board members on whether they are required to utilize a secret ballot when members/owners vote on any particular issue brought before them. The Colorado Common Interest Ownership Act (“CCIOA”) addresses voting at **C.R.S. 38-33.3-310** and requires secret ballots to be utilized by members under the following circumstances:

- Secret ballots *must* be utilized when votes are cast for contested positions on the board of directors of an HOA. However, this does not apply if the governing documents of an association provide for the election of members to the board of directors by delegates on behalf of the owners.
- Secret ballots may be utilized at the discretion of the board of directors.
- Secret ballots *must* be utilized on any given issue when 20% of the owners, present in person or by proxy at a meeting in which quorum is present, request the use of a secret ballot on an issue.

Stay tuned for the next installment of CCIOA 101 for HOA Boards, where I will discuss the statutory requirements for counting these secret ballots.

Published By:



*Colorado*

*Law*

Copyright © 2021, Winzenburg, Leff, Purvis & Payne, LLP. All Rights Reserved.