

**OPINION ON PROPOSED CHANGES TO
STANTON CREEK HOA CONDITIONS, COVENANTS, AND RESTRICTIONS
READ THEM BEFORE YOU VOTE**

The Stanton Creek HOA is proposing a set of amendments to the Conditions, Covenants and Restrictions (CC&Rs) that appear to ***increase HOA authority*** over homeowner property rights, ***HOA discretion*** to raise fees and assessments, ***HOA power*** to sanction homeowners without limits, ***HOA attorney's power*** to bring litigation, ***HOA incentives*** to ignore homeowner's individual property rights, to act unreasonably, or to foreclose, while ***reducing HOA accountability*** to homeowners, ***HOA liability*** to homeowners, ***management company liability*** to homeowners, ***HOA incentives*** to respect homeowner's property rights, ***HOA incentives*** to act reasonably. The proposals appear to ***decrease individual homeowner's property rights***, ***homeowner's power*** to challenge unfair or unreasonable decisions, ***homeowner's options*** to litigate against an unfair or unreasonable HOA, ***and*** the proposals appear to ***increase individual homeowner's accountability*** to the HOA, ***homeowner's liability*** to the HOA, and ***homeowner's liability*** to the management company.

When you purchased your property in the Stanton Creek neighborhood, you agreed to assign some of your property rights to the Stanton Creek HOA. The rights you forfeited and assigned to the HOA are listed in the **Current CC&R's and attachments. You can find those documents here:**
<https://img1.wsimg.com/blobby/go/31e2465e-3b07-40cc-a9ee-64d15731a30c/downloads/Stanton%20Creek%20Covenants%20original.pdf?ver=1686362411372>

The Stanton Creek HOA may also have ***additional powers*** created by Colorado statutes and/or Colorado case law precedents. Colorado statutes and case law give HOAs ***significant advantages*** over individual homeowners in a dispute. HOAs also have ***financial advantages*** over individual homeowners in a legal dispute because an HOA can ***assess fees*** to their homeowners, to ***finance litigation*** the HOA decides to initiate, whereas many homeowners ***cannot afford to defend*** themselves against an HOA. Litigation against an HOA can be quite expensive. Legally and financially Stanton Creek HOA already has ***tremendous power*** over homeowners under the current CC&Rs. When Stanton Creek HOA proposes amendments giving the HOA ***more power***, that is a proposal to give Stanton Creek ***homeowners less power***. The proposed amendments are a proposal to ***take additional property rights*** and options away from you.

The Stanton Creek HOA proposal to amend the CC&Rs can be found here:

<https://img1.wsimg.com/blobby/go/31e2465e-3b07-40cc-a9ee-64d15731a30c/downloads/Stanton%20Creek%20Proposed%20Covenant%20Rewrite.pdf?ver=1686362411372>

With a description of updates to the document here: <https://img1.wsimg.com/blobby/go/31e2465e-3b07-40cc-a9ee-64d15731a30c/downloads/Stanton%20Creek%20Rewrite%20Revision%205923.pdf?ver=1686362411372>

GUIDING PRINCIPLES

The Stanton Creek HOA should have ***only the power necessary*** to achieve the consensus goals of the Stanton Creek homeowners, and not more.

The Stanton Creek homeowners should have easy access and rapid recourse to correct decisions of the Stanton Creek HOA, in case the Stanton Creek HOA were to take unfair, unreasonable, or overzealous actions against any homeowner(s).

Stanton Creek homeowners should have ample notice, ease of participation, and majority rule over all major decisions that affect them and their neighbors.

The CC&Rs should, if amended, be amended to give effect to the principle that the Stanton Creek HOA is here to serve the Stanton Creek homeowners and the Stanton Creek homeowners are not here to serve the Stanton Creek HOA.

The amendments to the Stanton Creek HOA should be "neutral" i.e., Only amendments that do not require Stanton Creek homeowners to surrender additional power or property rights should be approved to improve the effectiveness of the Stanton Creek HOA and to serve the interests of the homeowners.

DRAFTERS OF THE PROPOSED AMENDMENTS

The proposed Stanton Creek HOA amendments appear to have been drafted in whole or in part by the Stanton Creek HOA Board in collaboration with Altitude Community Law which appears to specialize in representing HOA's in litigation against individual homeowners.

You can find reviews for Altitude Community Law on the BBB website here:

<https://www.bbb.org/us/co/lakewood/profile/lawyers/altitude-community-law-1296-90270519/complaints#1440455541> .

Google Reviews here:

<https://www.google.com/search?client=firefox-b-1-d&q=altitude+community+law+reviews#ip=1&lr=0x876b85fe2a4f087d:0x29a4e0a13195f51a,1,,,>

On Yelp here: <https://www.yelp.com/biz/altitude-community-law-lakewood> .

On Facebook here: <https://www.facebook.com/AltitudeCommunityLaw/reviews> .

More reviews here: https://nicelocal.com/lakewood/law/altitude_community_law/

Resources from Altitude website:

Amending Documents: <https://www.teleos-services.com/wp-content/uploads/2022/05/Turning-Bad-Documents-into-Good-Ones-Altitude-Community-Law.pdf> .

Videos: <https://www.youtube.com/channel/UC0ULIA6UMnHTaDUWlgEv8Yw> .

Since Altitude Community Law specializes in representing HOAs and not individual homeowners it is reasonable to expect that recommendations regarding the proposed amendments have been made with the goal of insulating Stanton Creek HOA from any accountability to Stanton Creek homeowners for the HOA's actions or any recourse for Stanton Creek homeowners to correct unfair or reasonable HOA decisions.

Amending the Stanton Creek HOA CC&Rs is not in the best interest of a majority of Stanton Creek homeowners and the amendments should be rejected.

READ THEM BEFORE YOU VOTE!