

HOADave's Engage DORA investigative Report

Prologue:

As a concerned homeowner who has faced numerous challenges with my HOA since 2017, I have compiled this report to share the collective experiences of fellow residents in Colorado. Drawing from 150 Engage Dora stories, this report highlights the various issues we encounter within our Homeowners' Associations (HOAs), ranging from financial mismanagement and lack of transparency to board misconduct and legislative gaps. By bringing these real-life stories to light, my goal is to advocate for necessary reforms, enhance homeowner rights, and improve the governance of our communities.

Disclaimer:

This report has been compiled using information from 150 Engage Dora stories. Please note that while every effort has been made to accurately present the information, there may be minor errors or omissions. The links provided for each story direct readers to the corresponding pages on the Engage Dora website for further details. Readers are encouraged to verify all information independently. The content of this report is intended for informational purposes only and should not be taken as legal or financial advice. The authors and publishers of this report assume no responsibility for any actions taken based on the information contained herein.

Story Index

- Story 1: Unethical Practices by Property Management Companies -** **Page 11**
- A property management company is accused of kickback practices in HOA document download services, violating the Real Estate Settlement Procedures Act (RESPA).
- Story 2: Challenges in a Self-Run Homeowner Association -** **Page 12**
- Insights from a Realtor and Treasurer on an HOA Board about the challenges and misconceptions in a self-managed HOA, emphasizing the need for homeowner involvement.
- Story 3: I am an HOA Homeowner -** **Page 13**
- A homeowner details issues with their HOA Board, including unauthorized purchases and illegal ballot counting, highlighting the need for better oversight.
- Story 4: Task Force II -** **Page 14**
- A Board member reflects on the third Task Force meeting, discussing the challenges posed by legislative mandates on HOAs.
- Story 5: Something Is Terribly Wrong -** **Page 15**
- A homeowner criticizes the Task Force for failing to address basic homeowner rights and the unfairness within the HOA system.
- Story 6: Dereliction of Duty by our Governor and Legislature -** **Page 16**
- Critique of Colorado's leadership for neglecting the impact of rising HOA fees on homeowners, calling for legislative action.
- Story 7: Is Anyone Reading the Homeowners' Comments? -** **Page 17**
- A homeowner expresses disappointment with the Task Force's handling of homeowner complaints and concerns.
- Story 8: Water Damage Liability Dispute in an HOA -** **Page 18**
- A homeowner faces water damage due to a clogged shared line, with the HOA denying liability, illustrating challenges in proving liability and getting compensation.
- Story 9: Financial Mismanagement and Lack of Transparency in an HOA -** **Page 19**
- Significant financial mismanagement in an HOA, including a non-interest-bearing reserve fund and accusations of nepotism and lack of transparency by the Board.
- Story 10: HOAs Need Oversight - Some Are Not Operating Within the Laws -** **Page 20**
- A homeowner's frustration with their HOA's lack of transparency in financial management and decision-making processes.
- Story 11: Go Hug Your Volunteer HOA Board Members -** **Page 21**
- A volunteer HOA board member shares the challenges they face and urges homeowners to be more involved and appreciative of the board's efforts.
- Story 12: Recognize the Positive Efforts by HOAs -** **Page 22**
- Focus on the positive aspects of HOAs and the role of homeowners in effective community management.
- Story 13: Granny -** **Page 23**
- A homeowner recounts their long-standing struggle with the HOA over unresolved water seepage issues and other maintenance concerns.
- Story 14: HOAs Work When Owners, Boards, and Management Do Their Part -** **Page 24**
- Insights from a senior board member of a large HOA, emphasizing effective collaboration between homeowners, boards, and management.
- Story 15: A Manager's Perspective -** **Page 25**
- An HOA portfolio manager discusses the challenges and discrepancies in HOA management compared to apartment management.

- Story 16: Karyn -** **Page 26**
- A homeowner's concern over a hastily called HOA board meeting to recall an elected board, questioning its legality and ethics.
- Story 17: SOS -** **Page 27**
- A homeowner faces a shocking HOA assessment increase, criticizing the board's financial management and transparency.
- Story 18: Current State Law Provides Too Much Protection for HOAs -** **Page 28**
- A board member's perspective on the excessive protection current laws provide to HOAs, calling for regulatory reform.
- Story 19: Wut? We Don't Need Any Transparency -** **Page 29**
- A homeowner's frustration with their HOA's lack of transparency regarding assessment increases and budgetary decisions.
- Story 20: HOA Board System is a Faulty Product -** **Page 30**
- Criticism of the current HOA board model for assigning unqualified individuals too much responsibility, leading to negative outcomes.
- Story 21: Hands Tied by Metro District -** **Page 31**
- A homeowner's experience in a metro district where the board, dominated by non-resident members, dismisses homeowner input.
- Story 22: A Question for Representative Ricks -** **Page 32**
- Discussion on the need for licensing HOA managers to prevent financial crimes, highlighting a gap in regulatory mechanisms.
- Story 23: Making Grieving Easier -** **Page 33**
- A homeowner dealing with inheritance issues faces difficulties with the HOA, questioning why HOA governing documents are not publicly available.
- Story 24: H.O.A. Transparency: A Proposal -** **Page 34**
- A proposal for improving HOA transparency by creating detailed regular reports similar to a company's prospectus.
- Story 25: Task Force Observations II -** **Page 36**
- A homeowner's observations on the second Task Force Meeting, expressing concern over the impact of legislation on law-abiding homeowners.
- Story 26: Goats and HOA Board -** **Page 37**
- A homeowner's conflict with their HOA regarding the keeping of Nigerian dwarf goats and the board's selective rule enforcement.
- Story 27: Transparency Yet Again -** **Page 38**
- A homeowner's disillusionment after attending a webinar, emphasizing the need for better disclosure of HOA rules and responsibilities.
- Story 28: HOA's Only Get Money from the Owners -** **Page 39**
- Addressing the financial challenges of HOAs, highlighting the reliance solely on homeowner assessments for funding.
- Story 29: Task Force Needs To Be Held Accountable -** **Page 40**
- Critique of the Task Force's approach to homeowner issues, emphasizing the need for better disclosure and informed consent in HOA governance.
- Story 30: 2 Acre Rural-Residential Zoned Lots in an HOA -** **Page 41**
- A homeowner's challenge with their HOA over the right to keep backyard chickens on their residential lots, despite county regulations allowing it.
- Story 31: Task Force Do You Have the Courage? -** [Page 42](#)
- A challenge to the HOA Task Force to address the significant problem of educating HOA boards or employing professional licensed managers.
- Story 32: Task Force Do You Have the Courage to Address the Real Issue? -** [Page 43](#)
- A call for the HOA Task Force to acknowledge and address the lack of education and qualification among HOA board members.

- Story 33: Budget and Board Meeting -** [Page 44](#)
- A homeowner describes their experience with the budget discussion process in their HOA board meeting.
- Story 34: Transparency and Accountability -** [Page 45](#)
- A critical view of an HOA, focusing on issues of transparency and accountability. The homeowner faces challenges with a non-responsive management.
- Story 35: HOA Weaponization -** [Page 47](#)
- A homeowner recounts their experience with a former HOA board member who frequently files baseless complaints, suggesting a systemic problem in the HOA's complaint and enforcement process.
- Story 36: Unknown -** [Page 48](#)
- Concerns over rapid increases in maintenance fees and the HOA board's decision-making processes are expressed, highlighting transparency and communication issues within the HOA.
- Story 37: Dictatorship One Lot One Vote -** [Page 49](#)
- A homeowner feels disenfranchised in an HOA where the developer, owning a majority of lots, dominates decision-making, leading to a lack of fair representation.
- Story 38: Hostage to HOA! -** [Page 50](#)
- A retired senior faces escalating HOA fees in a timeshare, feeling trapped by financial obligations and calling for consumer protection laws to address such issues.
- Story 39: Insurance Debacle -** [Page 51](#)
- The story of Latigo HOA's insurance crisis, resulting in a steep increase in dues and financial strain on residents, points to the need for responsible financial management in HOAs.
- Story 40: Comments on Task Force Webinar - 10/24/23 -** [Page 52](#)
- Feedback on a Task Force webinar, with suggestions for improving HOA governance, including dispute prevention, fiscal responsibility, and homeowner participation.
- Story 41: In Need of Training -** [Page 53](#)
- A critique of the lack of training for HOA board members, leading to management companies taking too much control and varied interpretations of governing documents.
- Story 42: It's All Personal in Our H.O.A. -** [Page 54](#)
- Governance issues in an HOA are highlighted, including power imbalances, conflicts of interest, and selective rule enforcement, underscoring the need for stronger oversight and homeowner empowerment.

Introduction to the Investigative Report on Colorado HOAs

Let's cut to the chase. Colorado's HOAs are under the microscope, and it's high time we got to the bottom of what's really going on. This report isn't just a bunch of stories – it's a deep dive into the real problems homeowners face in these communities.

We've got stories from all over Colorado, and they're not pretty. From board members making decisions without a lick of sense to management companies that seem to forget who they're working for, it's clear there's trouble in paradise. And let's not even get started on the financial mess – unexpected fees, unclear spending, and homeowners feeling like they're getting the short end of the stick.

Each story is a piece of a larger puzzle, showing us the good, the bad, and the ugly of HOA living. We're talking about real people, real problems, and it's time these stories were heard. So buckle up, because we're going to go through these tales one by one and see just what's really happening behind those manicured lawns and fancy community newsletters.

This report isn't just for show – it's a wake-up call. We need to see where the system is failing and who's getting stepped on. It's about getting to the truth and, trust me, we're going to get there.



The investigative report on Colorado HOAs presents a comprehensive look into the challenges and issues faced by homeowners within these associations.

Overview

- **Purpose:** The report aims to uncover the real problems homeowners encounter in HOA communities across Colorado.
- **Focus:** It highlights issues ranging from poor decision-making by board members to unethical practices by property management companies.
- **Impact:** The report serves as a wake-up call to address systemic failures and enhance homeowner rights.

Key Findings

1. **Unethical Practices by Property Management Companies:** These companies are accused of engaging in kickback practices during real estate transactions, violating the Real Estate Settlement Procedures Act (RESPA).
2. **Challenges in Self-Run HOAs:** Issues include financial challenges, resistance from the community, and a lack of homeowner engagement.
3. **HOA Board Misconduct:** Unauthorized purchases, illegal ballot counting, and selective rule enforcement are among the reported issues.
4. **Legislative and Regulatory Gaps:** There's a disconnection between legislative actions and HOA realities, with inadequate oversight and accountability mechanisms for HOA boards.
5. **Financial Mismanagement:** Cases of severe financial mismanagement, including misallocation of funds and lack of transparency in financial dealings, are highlighted.

Recommendations for Lawmakers

- **Strengthen RESPA Enforcement:** Implement regular audits of property management companies and clear disclosures of all real estate transaction fees.
- **Improve Homeowner Education:** Mandatory orientation for new HOA members and clear financial reporting requirements for HOAs.
- **Enhance HOA Board Accountability:** Implement stricter regulations for HOA boards, including mandatory transparency and independent oversight.
- **Address Financial Strain in HOAs:** Consider the impact of legislative mandates on HOAs, particularly in financial matters and homeowner affordability.
- **Reform HOA Regulatory Framework:** Clarify laws on liability for shared property damages and enforce compliance with governance laws.

Conclusion

The report underscores the urgent need for legislative and regulatory reforms to address the myriad of issues plaguing homeowners in HOAs. The key lies in balancing homeowner rights, financial responsibilities, and the sustainable management of HOA communities.

Analytical and Investigative Report on "Investigative Report on Colorado HOAs"

Introduction

The "Investigative Report on Colorado HOAs" provides a critical examination of the issues homeowners face within Homeowners' Associations (HOAs) in Colorado. This comprehensive report delves into various aspects of HOA management, uncovering systemic failures and advocating for enhanced homeowner rights.

Key Findings

1. **Unethical Practices by Property Management Companies:** These entities are accused of engaging in practices that violate the Real Estate Settlement Procedures Act (RESPA), including kickbacks during real estate transactions.
2. **Challenges in Self-Run HOAs:** Problems identified include financial difficulties, resistance from community members, and a lack of engagement from homeowners.
3. **HOA Board Misconduct:** Issues like unauthorized spending, illegal ballot counting, and selective rule enforcement are prevalent.
4. **Legislative and Regulatory Gaps:** Discrepancies between legislative actions and the realities of HOA operations, with a lack of proper oversight and accountability for HOA boards.
5. **Financial Mismanagement:** Instances of severe misallocation of funds and a lack of transparency in financial dealings are highlighted.

Recommendations for Lawmakers

- **Strengthen RESPA Enforcement:** Regular audits of property management companies and clear disclosures of all real estate transaction fees are suggested.
- **Improve Homeowner Education:** It is recommended to introduce mandatory orientation for new HOA members and enforce clear financial reporting requirements for HOAs.
- **Enhance HOA Board Accountability:** Implementing stricter regulations for HOA boards, including mandatory transparency and independent oversight.
- **Address Financial Strain in HOAs:** Lawmakers should consider the impact of legislative mandates on HOAs, particularly regarding financial matters and homeowner affordability.
- **Reform HOA Regulatory Framework:** Clarification of laws on liability for shared property damages and enforcement of compliance with governance laws are necessary.

Conclusion

The report emphasizes the urgent need for legislative and regulatory reforms in the HOA sector. It stresses the importance of finding a balance between protecting homeowner rights, ensuring financial responsibilities, and promoting the sustainable management of HOA communities.

Analytical and Investigative Report on "Investigative Report on Colorado HOAs"

Story 1: Unethical Practices by Property Management Companies

Context

This story, written on 26 December 2023 by an unknown author, focuses on unethical practices by HOA property management companies, specifically related to unearned fee kickbacks at the closing of federal related mortgage transactions.

Detailed Summary

- **Issue:** A property management company offering HOA document download services for resold properties engaged in kickback practices.
- **Practice:** Allegedly, the company offered up to \$80.00 of the \$300.00 service fee charged to homebuyers, collected at closing and listed on the HUD-1 settlement statement.
- **Violation:** This practice is identified as a violation of the Real Estate Settlement Procedures Act (RESPA).

Judgment

- The property management company's actions are deemed unethical and illegal, constituting blatant disregard for RESPA regulations.
- This practice is considered deceptive to homeowners and corrupts the real estate transaction process.

Advice to Lawmakers

- **Strengthen RESPA Enforcement:** Enhance penalties for violations and ensure strict enforcement.
- **Mandate Clear Disclosures:** Require clear disclosures of all fees in real estate transactions.
- **Regular Audits:** Implement regular audits of property management companies to ensure compliance with regulations.

Blame Allocation

- **Property Management Company:** Held directly responsible for unethical practices.
- **Regulatory Authorities:** Highlighted as needing stronger oversight and enforcement mechanisms.
- **Legal Framework:** Requires stricter measures to prevent such malpractices.

Analysis

This story underlines a significant issue in the real estate and HOA industry where property management companies engage in unethical kickback practices. Such practices not only violate RESPA but also undermine the integrity of real estate transactions. It highlights the need for stricter regulatory oversight and enforcement mechanisms to curb these malpractices.

Lawmakers are advised to strengthen RESPA enforcement, mandate clear disclosures of fees, and implement regular audits for compliance. The blame is primarily allocated to the property management company for its direct involvement in these unethical practices, but also extends to regulatory authorities and the legal framework for lacking stringent oversight and preventive measures.

Analytical and Investigative Report on "Investigative Report on Colorado HOAs"

Story: HOA Board Violates Policies

Context

Dated 09 October 2023 and written by a homeowner, this story details a dispute regarding an improperly conducted board member recall election, which violated the HOA by-laws and Colorado Revised Statutes (CRS) election procedures.

Summary

- **Election Misconduct:** The homeowner describes a conflict with the HOA board over an improperly conducted board member recall election.
- **Lack of Compliance:** The homeowner's cease and desist letter was ignored, and attempts to enforce fair election practices were unsuccessful.
- **State Accountability:** The story highlights a deficiency in state government accountability for HOA conduct.

Judgments

- **Failure of Governance:** The HOA board's disregard for their own by-laws and election procedures indicates a significant failure in governance and respect for democratic processes.
- **Lack of Recourse:** The homeowner's challenges in finding a remedy for the board's actions underscore a systemic lack of recourse for addressing HOA mismanagement.

Advice to Lawmakers

- **Regulatory Oversight:** Establish or empower a regulatory body to oversee HOA operations and ensure compliance with by-laws and election procedures.
- **Clear Redress Pathways:** Create clearer mechanisms for homeowners to seek redress for HOA mismanagement, particularly concerning election irregularities and governance failures.
- **Stricter Penalties:** Consider implementing more severe penalties for HOAs that violate state laws or their own governing documents to deter misconduct.

Blame Allocation

- **State Regulatory Bodies:** Highlighted for the absence of a regulatory body to hold HOAs accountable, leaving homeowners without effective means to address governance issues.

Analysis

This story presents a critical example of governance failure within an HOA, specifically in managing democratic processes like board member elections. The narrative suggests a need for enhanced state oversight and regulatory mechanisms to ensure HOA compliance with laws and by-laws. It calls for clearer pathways for homeowners to seek redress and the implementation of stricter penalties to deter and address HOA governance misconduct. The absence of effective state regulatory bodies is pointed out as a significant factor contributing to the lack of accountability in HOA operations.

Analytical and Investigative Report on "Investigative Report on Colorado HOAs"

Legislative and Regulatory Gaps in HOA Governance

Overview

This section of the report discusses intentional omissions in the Colorado Common Interest Ownership Act (CCIOA) that make it difficult to hold HOA boards accountable, highlighting issues with the Business Judgment Rule and the influence of HOA industry lobbying.

Key Points

- **CCIOA Omissions:** Legislators omitted specific language in CCIOA, which has led to challenges in holding HOA boards accountable.
- **Business Judgment Rule:** This rule allows HOA directors to claim ignorance as a defense, with courts setting a lower compliance standard for directors than homeowners.
- **Influence of Lobbying:** The legal system is suggested to be unfairly tilted against homeowners due to the influence of the HOA industry's lobbying.

Judgment

- **Inadequate Legal Framework:** The current legal framework, including CCIOA and the Business Judgment Rule, fails to provide adequate mechanisms for holding HOA boards accountable, creating a power imbalance.
- **System Bias:** The design of the system appears to favor HOA boards, allowing them to evade responsibility through legal technicalities.

Advice to Lawmakers

- **Revise CCIOA:** Lawmakers are advised to revise CCIOA to include clear, specific guidelines that enable homeowners to hold HOA boards accountable.
- **Reevaluate Business Judgment Rule:** Consideration is needed for the application of this rule in HOA contexts to ensure fairer standards for homeowners and board members.
- **Alternative Dispute Resolution Models:** Explore models that do not rely solely on courts and are more accessible to homeowners, such as those used in Nevada.

Blame Allocation

- **HOA Legal Framework & CCIOA:** Criticized for lacking specificity and enabling HOA boards to evade accountability.
- **Legal System & HOA Lobbyists:** Blamed for creating and perpetuating a system that disadvantages homeowners in disputes with HOA boards.

Analysis

This section of the report underscores significant legislative and regulatory gaps in the governance of HOAs. It highlights the need for revisions in CCIOA and a reevaluation of the Business Judgment Rule to balance the power between HOA boards and homeowners. The influence of the HOA industry's lobbying on the legal system is a critical concern, as it contributes to a biased system that often disadvantages homeowners. The recommendations call for legislative changes to create a more equitable and accessible framework for dispute resolution and accountability in HOA

Analytical and Investigative Report on "Investigative Report on Colorado HOAs"

Financial Mismanagement in HOAs

Context

A homeowner criticizes the high costs and low benefits provided by their HOA, highlighting issues of financial burden, inadequate insurance information, poor property maintenance, and neglect in reserve funding.

Key Points

- **Financial Burden:** Immediate financial strain due to inadequate insurance information and poor property maintenance.
- **Reserve Funding Neglect:** Leading to a proposed doubling of fees amid deteriorating property conditions.
- **Housing Market Challenges:** Compounded frustrations due to the unaffordable housing market, making it difficult to relocate.

Judgment

- The HOA's failure to provide value for the fees collected, effectively communicate, and manage community finances and infrastructure is evident.

Advice to Lawmakers

- **Transparency in Fee Usage:** Legislation should mandate transparency in HOA fee usage.
- **Communication Standards:** Effective communication regarding insurance requirements is essential.
- **Reserve Funding and Maintenance Standards:** Consideration should be given to establishing standards for reserve funding and property maintenance.

Blame Allocation

- **HOA Management:** Criticized for poor financial management and communication.
- **HOA Board:** Faulted for oversight failure and inadequate maintenance of the property.

Analysis

This story reflects a common issue in HOA governance: financial mismanagement. The homeowner's experience points to a lack of transparency in fee usage, inadequate communication regarding insurance, and poor maintenance practices. These issues contribute to financial strain on homeowners, especially in a challenging housing market. The advice to lawmakers focuses on the need for legislative measures to ensure transparency, effective communication, and proper standards for reserve funding and maintenance. The blame is allocated to both the HOA management for its financial and communicative shortcomings and the HOA board for its failure in oversight and maintenance.

Analytical and Investigative Report on "Investigative Report on Colorado HOAs"

General Recommendations for Lawmakers

Based on the analysis of various stories and issues highlighted in the "Investigative Report on Colorado HOAs," the following recommendations for lawmakers have been synthesized to address the systemic problems identified in HOA governance and management:

1. **Transparency and Communication:** Legislation should mandate transparency in HOA fee usage and effective communication regarding insurance requirements. This aims to address issues of financial mismanagement and inadequate information dissemination by HOAs.
2. **Standards for Reserve Funding and Maintenance:** Establishing standards for reserve funding and property maintenance is crucial to prevent the deterioration of property conditions and unexpected financial burdens on homeowners.
3. **Regulatory Oversight:** Consider the establishment or empowerment of a regulatory body to oversee HOA operations, ensuring compliance with by-laws, election procedures, and financial management practices.
4. **Fair Governance and Dispute Resolution:** Reevaluate and possibly reform laws to ensure fair governance within HOAs, including the application of the Business Judgment Rule and alternative dispute resolution models that are more accessible to homeowners.
5. **Enhanced Protections for Homeowners:** Strengthen laws and regulations to protect homeowner rights, especially in the context of financial and safety issues, rule enforcement, and board elections.
6. **Accountability and Penalties for Misconduct:** Implement stricter penalties for HOAs that violate state laws or their own governing documents to deter misconduct and uphold the integrity of HOA governance.
7. **Education and Awareness Initiatives:** Promote training and resources for HOA board members, management, and homeowners to improve understanding, effective governance, and community engagement.
8. **Sustainable Management Practices:** Consider legislation supporting sustainable volunteer management within HOAs and promoting respect and cooperation among community members.

These recommendations address a range of issues, from financial transparency and reserve funding to homeowner education and HOA board accountability. The aim is to create a more equitable, transparent, and effectively managed HOA system that benefits all stakeholders.

Detailed Final Analysis of "Investigative Report on Colorado HOAs"

Comprehensive Overview

The report offers an in-depth examination of the multifaceted challenges within Colorado's HOA communities, focusing on individual narratives that collectively shed light on broader systemic issues in HOA governance and management.

Key Areas of Concern:

1. **Financial Management and Transparency**
 - Chronic mismanagement of funds, unclear financial reporting, and resource misallocation.
 - Homeowners face escalating fees with little clarity on fund usage.
2. **Governance and Ethical Practices**
 - Board misconduct, such as by-law violations, election manipulation, and fiduciary failures.
 - Results in distrust and conflicts between homeowners and board members.
3. **Regulatory and Legislative Gaps**
 - Inadequate frameworks like CCIOA and the Business Judgment Rule, often favoring HOA boards.
 - Homeowners are disadvantaged in disputes, with limited avenues for accountability.
4. **Homeowner Engagement and Education**
 - Low homeowner involvement and understanding of HOA responsibilities.
 - Leads to poor decision-making and governance challenges.
5. **Influence of HOA Industry Lobbying**
 - HOA industry's disproportionate influence in shaping laws and regulations.
 - Biased environments disadvantaging homeowners.
6. **Challenges in Self-Managed HOAs**
 - Financial strains and complexities of self-governance.
 - Increased mismanagement risks and burden on volunteer board members.
7. **Property Management Companies**
 - Concerns about licensing and accountability of these entities.
 - Issues include unethical practices like kickbacks and inadequate maintenance services.
 - Homeowners face additional financial burdens and poor service quality.
8. **HOA Lawyers**
 - Legal representation is often biased towards HOA boards due to existing professional relationships.
 - Challenges in finding unbiased legal support for homeowners.
 - The report suggests a need for more equitable legal representation in HOA disputes.

Recommendations for Stakeholders:

1. **For Lawmakers and Regulatory Bodies**
 - Revise HOA-related laws for fairness and accountability; enforce transparency in financial and governance matters.
 - Implement oversight mechanisms for property management companies and legal professionals involved in HOAs.
2. **For HOA Boards and Management Companies**
 - Adhere to ethical practices, transparency, and accountability standards.
 - Regular training on fiduciary responsibilities and effective management.
3. **For Homeowners**
 - Increase participation in HOA decision-making.
 - Educate themselves about HOA rights and responsibilities.
4. **For Community Advocates and Legal Professionals**
 - Advocate for balanced HOA laws.
 - Provide support and resources for homeowners in HOA disputes.
5. **For Property Management Companies**
 - Adhere to strict licensing requirements and ethical standards.
 - Ensure transparency in operations and fair treatment of homeowners.
6. **For HOA Lawyers**
 - Maintain impartiality and provide equitable legal support to all parties in HOA disputes.
 - Foster an environment of fairness and justice within the HOA legal system.

Concluding Remarks

This report highlights the need for comprehensive reforms and proactive measures across various facets of HOA operations in Colorado. By addressing these key areas of concern, there is an opportunity to create more balanced, transparent, and effective HOA communities that align with the best interests of all stakeholders involved.

Story 1: “H O A property management companies participating in Unearned Fee kickback at closing of Federal Related Mortgage transactions”

[“H O A property management companies participating in Unearned Fee kickback at closing of Federal Related Mortgage transactions”](#)

Date Written: 26 Dec 2023

Written by: Unknown

Detailed Summary:

- A property management company offering services for HOA document downloads to potential purchasers of resold properties is accused of engaging in kickback practices.
- They allegedly offer up to \$80.00 of the \$300.00 service fee charged to homebuyers, collected at closing and listed on the HUD-1 settlement statement.
- This practice is identified as a violation of the Real Estate Settlement Procedures Act (RESPA).

Judgment:

- The property management company's actions are unethical and illegal, constituting a blatant disregard for RESPA regulations.
- This practice deceives homeowners and corrupts the real estate transaction process.

Advice to Lawmakers:

- Strengthen RESPA enforcement and penalties for violations.
- Mandate clear disclosures of all fees in real estate transactions.
- Implement regular audits of property management companies for compliance.

Blame Allocation:

- **Property Management Company:** Directly responsible for unethical practices.
- **Regulatory Authorities:** Need stronger oversight and enforcement mechanisms.
- **Legal Framework:** Requires stricter measures to prevent such malpractices.

Story 2: “Challenges in a Self-Run Homeowner Association”

["I have concerns"](#)

Written by: Board Member

Date written: 24 Dec 2023

Detailed Summary:

- The author, serving as a Realtor and Treasurer on an HOA Board, shares insights into the workings of a self-managed HOA.
- A significant issue highlighted is a common misunderstanding among homeowners who perceive the HOA as an external entity, rather than a collective responsibility of the residents.
- The HOA faced severe financial challenges, including a dramatic increase in insurance costs, leading to the need for significantly higher dues.
- The community's reaction was mixed, with some expressing skepticism and resistance, questioning the board's financial management.
- Notably, despite the board's efforts to be transparent and engage homeowners in decision-making, there was a notable lack of engagement and understanding from the community.
- Unexpected expenses like infrastructure repairs and increasing insurance premiums added to the financial strain.
- The narrative underscores the critical importance of homeowner involvement and comprehension of their roles within the HOA framework.

Judgment:

- The main issue is the gap in homeowner understanding and engagement.
- The HOA Board appears to be proactive but struggles with community disengagement and misconceptions.

Advice to Lawmakers:

- Implement mandatory orientation for new HOA members about their roles and responsibilities.
- Ensure HOAs have clear, accessible financial reporting requirements.
- Encourage regulations that promote active homeowner participation in HOA governance.

Blame Allocation:

- Homeowners: For their lack of engagement and understanding of HOA responsibilities.
- Community Culture: Needs to encourage a better grasp of collective responsibilities in HOA living.
- HOA Board: While seemingly transparent, could further enhance communication and educational outreach efforts.

Story 3: “I am a HOA Homeowner”

[“I am a HOA Homeowner”](#)

Written by: Homeowner

Date written: 22 Dec 2023

Detailed Summary:

- The homeowner details numerous issues with their HOA Board, including unauthorized purchases, illegal ballot counting, tax return filing issues, and selective enforcement of rules.
- Specific instances include the secret purchase of non-potable water by the HOA President without a membership vote, which conflicted with the community's covenants.
- Allegations of illegal ballot counting during Board elections and a lack of transparency in vote counts were raised.
- The HOA Board reportedly failed to file proper tax returns, with a treasurer mistakenly believing that non-profit status exempted them from taxes.
- The homeowner expresses frustration over the lack of penalties for HOA Boards in Colorado, citing instances of biased court rulings and improper financial decisions.
- The story concludes with a plea for stricter state penalties and accountability for HOA Boards.

Judgment:

- The HOA Board is clearly at fault for multiple violations of both their own covenants and legal standards.
- This case demonstrates a need for better oversight and accountability mechanisms for HOA Boards.

Advice to Lawmakers:

- Enforce stricter regulations and penalties for HOA Boards that violate laws or their own covenants.
- Implement mandatory transparency and accountability measures for HOA Board actions and financial dealings.
- Establish independent oversight bodies to handle complaints against HOA Boards.

Blame Allocation:

- HOA Board: For their misconduct and failure to adhere to legal and covenant obligations.
- Legal System: Needs to provide better protection for homeowners against HOA abuses.
- State Regulations: Should be strengthened to ensure accountability and transparency in HOA operations.

Story 4: "Task Force II"

"Task Force II"

Written by: Board Member

Date written: 22 Dec 2023

Detailed Summary:

- The author, a Board member of an HOA, reflects on the proceedings of the third Task Force meeting.
- They observed a disjointed approach, with the latest meeting focusing on requiring reserve studies and mandated reserve funding levels, contrasting with previous discussions emphasizing low monthly assessments and difficulties in passing special assessments.
- A significant point of contention is the financial burden placed on HOAs by House Bill 22-1137, which shifts certain costs, like certified mailing, onto the HOA (essentially the homeowners).
- The author highlights the challenges of balancing homeowner demands for repairs and improvements with the pressure to keep dues low, especially in an aging condo community requiring more frequent repairs.
- They express frustration over mandates that increase financial obligations for HOAs, resulting in the need to raise dues, and then facing criticism for doing so.

Judgment:

- The author's observations suggest a critical gap between legislative actions and the practical realities of HOA management.
- The need to balance financial constraints with increasing maintenance demands in aging communities is a common challenge in HOA governance.

Advice to Lawmakers:

- Consider the practical implications of legislative mandates on HOAs, especially regarding financial burdens.
- Encourage a more holistic approach to legislation affecting HOAs, taking into account the diverse needs and capabilities of different communities.
- Facilitate better communication and understanding between lawmakers, HOA boards, and homeowners to align legislative actions with community needs.

Blame Allocation:

- Legislative Processes: For potentially overlooking the practical impacts of mandates on HOAs.
- HOA Boards: While they face challenging duties, there's a need for better communication with homeowners to manage expectations.
- Homeowners: Need to understand the financial realities of maintaining and improving their communities, particularly in older properties.

Story 5: "Something Is Terribly Wrong"

"Something Is Terribly Wrong"

Written by: Homeowner

Date written: 21 Dec 2023

Detailed Summary:

- The author expresses profound dissatisfaction with the Task Force, citing its failure to address basic homeowner rights and the growing unfairness within the HOA system.
- They criticize the Task Force for not implementing a simple solution: a one-page sheet informing buyers about entering an HOA.
- The post references Byron Hanke, a key figure in the HOA industry, emphasizing the importance of fully informing buyers about HOAs.
- The author argues that the current HOA model lacks the crucial 'community piece' and suggests that explaining HOAs to potential buyers deters them from purchasing.
- The narrative points to a systemic issue where HOAs bring out the worst in people, driven by profit motives rather than community welfare.
- The post ends with a personal account of buying into an HOA without being informed and witnessing community deterioration.

Judgment:

- The Task Force and the broader HOA system are failing to address fundamental homeowner rights and transparency.
- The focus on profit over community welfare in HOAs is a significant concern.

Advice to Lawmakers:

- Mandate transparent and early disclosure about the implications of living in an HOA.
- Reform the HOA model to prioritize community welfare and homeowner rights.
- Enhance oversight and accountability in the HOA industry.

Blame Allocation:

- HOA Task Force: For ineffective handling of core homeowner issues.
- HOA Industry: For prioritizing profits over community welfare and transparency.
- Lawmakers: For not implementing necessary reforms to protect homeowner rights.

Story 6: "Dereliction of Duty by our Governor and Legislature"

"Dereliction of Duty by our Governor and Legislature"

Written by: Unknown

Date written: 20 Dec 2023

Detailed Summary:

- The author criticizes the Colorado Governor and Legislature for neglecting the impact of rising HOA fees on homeowners, despite efforts to address property tax increases.
- They highlight that half of Colorado's population is governed by HOAs, yet there is a lack of action to provide relief from rising HOA fees.
- The post questions the effectiveness of the HOA Information & Resource Center and criticizes the state's handling of HOA issues.
- The author cites examples of homeowners suffering due to high HOA fees, especially in affordable housing, and points out the inadequacy of legislative measures to protect homeowners from abusive practices in the HOA industry.
- The narrative argues that HOAs are a failed business model and criticizes the public policy makers for ignoring comprehensive analyses of HOA issues over the past decades.

Judgment:

- The state's leadership and legislative bodies are failing to adequately address the financial burdens imposed on homeowners by HOAs.
- The current approach to HOA governance and regulation is seen as unsustainable and heavily influenced by special interests.

Advice to Lawmakers:

- Address the rising costs of HOA fees and their impact on homeowners, especially in affordable housing.
- Reform HOA regulations to protect homeowners from unfair practices and financial burdens.
- Conduct comprehensive studies and implement policies that reflect the actual challenges faced by homeowners in HOAs.

Blame Allocation:

- Colorado Governor and Legislature: For their lack of effective action and oversight regarding HOA issues.
- HOA Industry: For practices that negatively impact homeowners and for influencing policy to their advantage.
- Regulatory Agencies: For failing to provide adequate resources and support to address HOA-related challenges.

Story 7: "Is anyone reading the homeowners comments?!!!"

"Is anyone reading the homeowners comments?!!!"

Written by: Homeowner

Date written: 20 Dec 2023

Detailed Summary:

- The homeowner expresses disappointment with a recent Task Force meeting, feeling that it was a waste of time and did not address the real issues.
- They acknowledge the efforts of Connie Van Dorn, a member trying to focus the Task Force on pertinent issues, but note that these efforts were unsuccessful.
- The author was expecting the Task Force to address the complaints submitted by homeowners, but this did not occur.
- The narrative conveys a sense of frustration and despair, with the homeowner feeling that the situation is worsening, leading to people losing their homes without any significant intervention or support.

Judgment:

- The Task Force is perceived as ineffective and disconnected from the real concerns and hardships of homeowners in HOAs.
- This story highlights a gap between homeowner expectations and the actual outcomes of Task Force meetings.

Advice to Lawmakers:

- Ensure that homeowner complaints and concerns are adequately addressed and considered in Task Force meetings and decisions.
- Foster more effective communication and engagement between the Task Force and homeowners.
- Prioritize actions and solutions that directly address and resolve the issues faced by homeowners in HOAs.

Blame Allocation:

- HOA Task Force: For failing to effectively address and consider homeowner complaints and concerns.
- Legislative Bodies: For not providing sufficient support and intervention in addressing the challenges faced by homeowners in HOAs.

Story 8: “Water Damage Liability Dispute in an HOA”

[“Water Damage From Shared Kitchen Line Backed Up - HOA Says I Need to Pay For the Damage...”](#)

Written by: Homeowner

Date written: 19 Dec 2023

Detailed Summary:

- A homeowner faced significant water damage in their unit due to a clogged shared kitchen line, resulting in leakage and floor damage.
- The issue had a precedent last year with similar circumstances, leading to partial repairs.
- Despite the damage being caused by a failure in the shared line, which is under HOA responsibility, the HOA denied liability, instructing the homeowner to contact their insurance.
- The homeowner contends that the damage resulted from the HOA's negligence in maintaining the shared line and questions why they should bear the cost for damage caused by shared infrastructure.
- The story highlights the challenges homeowners face in proving liability and obtaining compensation for damages caused by communal property issues.

Judgment:

- The HOA seems to be shirking its responsibility for maintaining shared infrastructure, unfairly pushing the burden onto the homeowner.
- This case underscores the need for clear guidelines on liability and maintenance responsibilities in shared property situations.

Advice to Lawmakers:

- Clarify laws regarding liability for damages caused by shared property in HOAs.
- Mandate HOAs to maintain adequate insurance for communal property and clarify the coverage to homeowners.
- Implement dispute resolution mechanisms for such cases to avoid costly legal battles.

Blame Allocation:

- HOA & Property Management: For neglecting maintenance responsibilities and denying liability.
- Legal Framework: Needs clearer guidelines on liability and maintenance responsibilities in shared property situations.

Story 9: “Financial Mismanagement and Lack of Transparency in an HOA”

[“Missing \\$700 K from HOA funds”](#)

Written by: Homeowner

Date written: 19 Dec 2023

Detailed Summary:

- The author details significant financial mismanagement in their HOA, where a large reserve fund required by covenants to be invested has remained in a non-interest-bearing account for a decade.
- Despite HOA dues increasing by 214%, no improvement in services was noted, and the HOA engaged in overpriced maintenance activities such as snow removal.
- The Board is accused of multiple violations of state laws, nepotism in awarding contracts, and lack of transparency in legal fees and board meetings.
- The Board members, including multiple members from the same family, have remained in power for a decade without a fair election process.
- There's an absence of proper documentation for board decisions and a general lack of homeowner control over HOA governance.

Judgment:

- This case represents a clear instance of financial mismanagement and lack of transparency by the HOA Board.
- The HOA Board's actions represent a serious breach of fiduciary duty and governance.
- The homeowner's concerns about nepotism in contract awarding, lack of accountability, and violation of covenants are serious and indicate deep-rooted governance issues possible violation of state laws, lack of transparency in legal fees, and problematic governance practices, including secret meetings and unfair election processes calls for urgent intervention and overhaul of the HOA's management practices.

Advice to Lawmakers:

- Strengthen financial management and transparency regulations for HOAs.
- Enforce term limits and fair election processes for HOA Board members.
- Establish independent audit requirements and oversight mechanisms for HOA finances and governance.
- Establish mechanisms for homeowners to hold their HOA Boards accountable without resorting to expensive legal action.
- Enforce laws that prevent nepotism in contract awarding and ensure fair and transparent election processes in HOAs.

Blame Allocation:

- HOA Board: Directly responsible for financial mismanagement and lack of transparency.
- State Regulatory Bodies: Need to enforce stricter compliance with HOA governance laws.
- Legal Framework: Requires reforms to ensure accountability and fairness in HOA operations.

Story 10: "HOA's need oversight - some are not operating within the laws"

["HOA's need oversight - some are not operating within the laws"](#)

Written by: Homeowner

Date written: 17 Dec 2023

Detailed Summary:

- The homeowner expresses frustration with the Task Force and DORA meetings, feeling that the real issues of homeowners are not being understood.
- They report that their HOA passed Special Assessments for projects not listed on the Reserve Study, indicating potential mismanagement or deceit.
- The management company was unresponsive to homeowners' inquiries and the voting process for the Special Assessment was conducted without transparency.
- There were allegations of project contracts being steered to a specific contractor without providing competing bids or financial documentation to homeowners.
- The HOA used reserve funds to pay the vendor, causing a shortage and leading to an attempt to increase dues for the following year.
- The homeowner's complaints to the Attorney General have not received any response, highlighting a lack of accountability and oversight for HOAs.
- They emphasize the need for advocacy and support for homeowners facing such issues.

Judgment:

- The HOA's actions reflect a lack of transparency, potential mismanagement, and a disregard for homeowner rights.
- The story underscores the need for more effective oversight and accountability mechanisms for HOAs.

Advice to Lawmakers:

- Implement regulations ensuring transparency in HOA financial management and decision-making processes.
- Establish independent oversight bodies to address homeowner complaints and ensure HOA compliance with laws.
- Enhance legal recourse for homeowners against malpractices by HOA boards and management companies.

Blame Allocation:

- HOA Board and Management Company: For their lack of transparency and potential financial mismanagement.
- Legal and Regulatory Framework: Needs strengthening to ensure effective oversight and accountability of HOAs.

Story 11: "Go hug your volunteer HOA board members."

["Go hug your volunteer HOA board members"](#)

Written by: Board Member

Date written: 13 Dec 2023

Detailed Summary:

- The author, a volunteer HOA board member, shares insights into the challenges faced by volunteer board members in managing HOAs.
- They suggest that most homeowners are disengaged from their HOAs, interacting only when they have complaints or are notified about issues.
- The post highlights the efforts volunteer board members put in to keep the community's best interests at heart while trying to minimize costs.
- It also points out the likely increase in HOA dues if all tasks were handed over to management companies, noting that volunteers help keep these costs down.
- The author urges homeowners to play a more active and constructive role in their HOAs and to appreciate the efforts of volunteer board members.

Judgment:

- The post sheds light on the often overlooked and undervalued efforts of volunteer HOA board members.
- It emphasizes the need for greater homeowner involvement and understanding in HOA management.

Advice to Lawmakers:

- Encourage homeowner engagement and education in HOA matters.
- Consider support mechanisms for volunteer board members, recognizing their contribution to community management.

Blame Allocation:

- Homeowners: For lack of engagement and understanding of the workings and challenges of their HOAs.
- HOA Boards: While they face challenges, there's an ongoing need for effective communication and transparency with homeowners.

Story 12: "Recognize the Positive Efforts by HOAs and How Homeowners Are Part of the Solution"

["Recognize the Positive Efforts by HOAs and How Homeowners Are Part of the Solution"](#)

Written by: Board Member

Date written: 13 Dec 2023

Detailed Summary:

- This story focuses on the positive aspects of HOAs and the role of homeowners in contributing to effective community management.
- The author emphasizes the constructive efforts made by some HOAs in addressing community issues and fostering a cooperative environment.
- The narrative suggests that homeowners' active participation and collaboration with the HOA can lead to better community outcomes.
- It highlights examples where proactive homeowner involvement has led to positive changes and improvements in HOA communities.
- The story counters the often-negative perception of HOAs by showcasing instances of successful collaboration and problem-solving between homeowners and HOA boards.

Judgment:

- The proactive approach of both the HOA boards and homeowners in these examples is commendable. It demonstrates how cooperation and open communication can lead to significant improvements in community living.
- The positive examples set by these HOAs and homeowners should serve as a model for other communities facing challenges.

Advice to Lawmakers:

- Encourage legislation that promotes transparency and collaboration between homeowners and HOA boards.
- Consider incentives for HOAs and residents who demonstrate effective and cooperative community management.
- Support initiatives that foster community engagement and empower homeowners to actively participate in their HOA governance.

Blame Allocation:

- In this scenario, there is no direct blame, but rather an appreciation of the positive efforts and outcomes achieved by cooperative action between homeowners and HOA boards.

Story 13: "Granny"

"Granny"

Written by: Homeowner

Date written: 12 Dec 2023

Detailed Summary:

- The story begins in 1995 when the author bought a townhome in foreclosure, unaware of unresolved water seepage issues in the basement.
- Over the years, the homeowner faced multiple challenges with the HOA, including poor oversight of contractors, mismanagement of funds, and neglect of maintenance issues.
- Specific instances of mismanagement included incomplete roofing contracts, excessive charges for minor repair works, and disputes over responsibility for damages.
- The homeowner's continuous efforts to address these issues with the HOA board were met with resistance and, at times, retaliation.
- A recurring theme is the homeowner's struggle against the HOA's apathy and lack of accountability, especially in handling maintenance and financial transparency.

Judgment:

- The HOA board's consistent failure to address critical maintenance issues and financial mismanagement reflects a severe lack of responsibility and accountability.
- The homeowner's perseverance in seeking justice and accountability is commendable but highlights the challenges individuals face when confronting an uncooperative HOA board.

Advice to Lawmakers:

- Implement stricter regulations to ensure transparency and accountability in HOA financial and maintenance responsibilities.
- Establish more robust mechanisms for homeowners to report and resolve disputes with HOA boards, including independent mediation services.
- Mandate regular audits of HOA financial activities to prevent mismanagement and misuse of funds.

Blame Allocation:

- **Board Members:** For their negligence in addressing maintenance issues and mismanaging funds.
- **Regulatory Bodies:** For a lack of effective oversight mechanisms to protect homeowners from such HOA malpractices.

Story 14: "HOAs Work When Owners, Boards, Mngt Do Their Part: A Quick Perspective from a Sr Board Member of One of the Largest True HOA in the State"

["HOAs Work When Owners, Boards, Mngt Do Their Part: A Quick Perspective from a Sr Board Member of One of the Largest True HOA in the State"](#)

Written by: Unknown

Date written: 12 Dec 2023

Detailed Summary:

- This story provides insights from a senior board member of a large HOA, emphasizing that HOAs function effectively when owners, boards, and management collaborate.
- The narrative underscores the importance of each party fulfilling their roles and responsibilities for the smooth operation of the HOA.
- It highlights the positive outcomes that can be achieved through cooperative efforts, responsible governance, and active homeowner participation.
- The story may also address common misconceptions about HOAs and offer a perspective on how a well-managed HOA can benefit the community.

Judgment:

- The perspective provided in this story is valuable, emphasizing the importance of collaboration and shared responsibility in the success of an HOA.
- When all parties involved in an HOA work together effectively, it can lead to a harmonious and well-functioning community.

Advice to Lawmakers:

- Encourage policies that promote transparency, accountability, and cooperation among homeowners, board members, and management in HOAs.
- Support educational programs for HOA members and board members to understand their roles and responsibilities better.
- Consider legislation that facilitates effective communication and dispute resolution within HOA communities.

Blame Allocation:

- In this positive example, the emphasis is on the successful collaboration of all parties involved. Therefore, there is no blame allocation, but rather a recognition of the collective effort contributing to the HOA's success.

Story 15: "A Manager's Perspective"

["A Manager's Perspective"](#)

Written by: Property Manager

Date written: 08 Dec 2023

Detailed Summary:

- The story is from an HOA portfolio manager in Littleton, Colorado, who manages eight HOAs and has been in the field for about eight years.
- The manager discusses witnessing problematic behavior by volunteer board members, balancing the need to uphold their professional duties with personal ethics.
- They highlight the limitations and challenges faced by HOA managers, particularly in enforcing rules and dealing with board directives that they may not agree with.
- The narrative focuses on the discrepancies between HOAs and apartment management, especially in the context of fines and evictions, underlining the more restrictive environment in which HOAs operate.
- The manager expresses frustration with legislation like HB 22-1137, which they feel unfairly restricts HOAs, particularly in dealing with noise complaints and property maintenance.
- There is a sense of helplessness in dealing with residents' issues effectively due to legislative constraints and the lack of power to enforce rules as stringently as in rental properties.
- The story sheds light on the often misunderstood and challenging role of HOA managers and the complexities of navigating HOA governance within the framework of state laws.

Judgment:

- The manager's perspective reveals a significant gap in the legislative framework governing HOAs compared to other housing models, leading to inefficiencies and frustrations in community management.
- The challenges faced by the manager indicate a need for a more balanced and realistic approach to HOA legislation and management practices.

Advice to Lawmakers:

- Reevaluate and potentially revise legislation like HB 22-1137 to ensure that it addresses the practical realities of HOA management without unfairly restricting their ability to maintain community standards.
- Consider providing more autonomy to HOAs in handling minor violations and disputes, aligning their powers more closely with those of rental property management.
- Facilitate better education and training for HOA managers to equip them with the necessary skills and knowledge to navigate the complexities of HOA governance and legislation.

Blame Allocation:

- **Legislation:** For creating restrictive and sometimes impractical regulations that hinder effective HOA management.
- **Misunderstanding of Roles:** Due to a general lack of understanding about the roles and limitations of HOA managers by homeowners and legislators.

Story 16: "Karyn"

["Karyn"](#)

Written by: Homeowner

Date written: 07 Dec 2023

Detailed Summary:

- The homeowner, Karyn, expresses concern over a hastily called HOA board meeting to recall an elected board, questioning the legality and ethics of such a move.
- The current board, going out of office, seems to be making a last-minute effort to influence the community's governance by attempting to recall the newly elected board due to negotiation difficulties.
- The lack of proper notice and the timing of the meeting, particularly during a period when many residents are away, raises questions about the board's intentions.
- The homeowner is troubled by the potential financial implications of this action, such as hiring a lawyer and organizing another election.
- This situation highlights issues of transparency, proper procedure, and fair representation in HOA governance.

Judgment:

- The actions of the outgoing HOA board appear to be a questionable attempt to assert control and influence the community's future governance, potentially violating principles of fair and transparent community management.
- The decision to call a meeting with such short notice and under circumstances that limit resident participation is ethically concerning.

Advice to Lawmakers:

- Implement stricter regulations ensuring adequate notice and transparency for HOA meetings, particularly those involving significant decisions like board recalls.
- Establish clear guidelines and legal frameworks to prevent outgoing boards from making last-minute decisions that significantly impact the community after their term.
- Promote regulations that ensure fair representation and participation of all homeowners in significant HOA decisions.

Blame Allocation:

- **Outgoing HOA Board:** For potentially manipulating the system to maintain influence and making decisions without adequate homeowner participation.
- **Lack of Regulatory Oversight:** For not having stringent enough rules to govern the conduct and transition of HOA boards.

Story 17: "SOS"

["SOS"](#)

Written by: Homeowner

Date written: 05 Dec 2023

Detailed Summary:

- The homeowner received a shocking HOA assessment for 2023, with a significant increase and a short notice period.
- They discovered that 61% of their HOA budget was going towards attorney and management costs, with a smaller portion allocated to reserves and operating costs.
- The increase in fees was partly attributed to the board's reaction to new laws like HB 22-1137, aimed at controlling HOA boards but resulting in unintended consequences.
- The board, comprising the developer and their spouse, responded by setting up narrow board policies focused on fees, fines, and foreclosures, burdening the homeowners who were against these changes.
- The homeowner highlights a systemic issue where wealthy lot owners exert disproportionate influence over the HOA, leaving regular homeowners with little say.
- They suggest possible solutions like a mil levy cap based on the combined value of all properties and equal assessments, but also note the high cost of legal action as a barrier to fighting corruption.

Judgment:

- The situation reflects a failure of the HOA board to act in the best interest of all community members, instead favoring policies that disproportionately burden regular homeowners.
- The board's actions, in response to legislative changes, have exacerbated financial pressures on homeowners, undermining the community's integrity.

Advice to Lawmakers:

- Review the impact of legislation like HB 22-1137 to ensure it does not inadvertently empower HOA boards to increase financial burdens on homeowners.
- Consider implementing caps on HOA assessments and fees to prevent excessive financial demands.
- Explore legal reforms to provide more accessible avenues for homeowners to challenge HOA decisions and fight corruption.

Blame Allocation:

- HOA Board: For implementing policies that heavily burden homeowners financially and for not considering the broader community's interests.
- Legislation: For unintended consequences that have enabled HOA boards to exploit loopholes and impose excessive fees.

Story 18: "Current State Law Provides Too Much Protection for HOAs and Metropolitan Districts"

["Current State Law Provides Too Much Protection for HOAs and Metropolitan Districts"](#)

Written by: Board Member

Date written: 05 Dec 2023

Detailed Summary:

- The writer, a board member and retired public-school administrator, argues that current laws in Colorado excessively protect HOAs and metropolitan districts.
- They believe these laws shield boards and management groups from accountability and allow them to impose financial burdens on residents without proper oversight.
- The only recourse for residents, as per the writer, is replacing board members through elections, which is discouraged due to high costs and claims of saving money.
- The writer suggests the need for a government agency in Colorado with the authority to address inappropriate behaviors by boards, including the power to investigate and levy fines.
- They call for a state training program for new board members and a legal framework for residents to take action against abuses of power by HOAs.

Judgment:

- The writer's perspective highlights a significant flaw in the current legal framework, where HOAs and metropolitan districts operate with minimal regulation and oversight.
- This lack of accountability has led to practices that are not in the best interest of the residents and hinder the democratic process within these communities.

Advice to Lawmakers:

- Establish a regulatory body with the authority to oversee HOAs and metropolitan districts, ensuring accountability and transparency.
- Develop training programs for HOA board members to promote ethical governance and informed decision-making.
- Create accessible legal pathways for residents to challenge unfair practices and abuses of power within their HOA communities.

Blame Allocation:

- State Legal Framework: For providing excessive protection to HOAs and metropolitan districts, enabling unaccountable and potentially abusive practices.
- HOA Boards: For exploiting the lack of oversight to impose unjust financial and administrative burdens on residents.

Story 19: "Wut? We don't need any transparency"

["Wut? We don't need any transparency"](#)

Written by: Homeowner

Date written: 03 Dec 2023

Detailed Summary:

- The homeowner expresses frustration with their HOA's lack of transparency regarding a significant increase in assessments.
- They received an email about the increased assessment and a budget ratification meeting but were not provided any budget summary or reasons for the increase.
- At the meeting, homeowners would receive a "packet" of information, but the homeowner feels this approach is inadequate for understanding and voting on budget matters.
- The process for overturning the ratification requires an impractical 80% agreement from homeowners, rendering individual concerns effectively moot.
- The lack of detailed information and the high threshold for challenging decisions highlight issues with transparency and homeowner involvement in HOA decisions.

Judgment:

- The HOA's approach to communication and decision-making shows a concerning disregard for transparency and homeowner involvement.
- The high threshold for overturning decisions and the lack of accessible, detailed information before meetings are indicative of a system that undermines the democratic process within the community.

Advice to Lawmakers:

- Implement legislation requiring HOAs to provide detailed budget summaries and justifications for assessment increases to all homeowners in advance of ratification meetings.
- Review and potentially lower the threshold for homeowners to challenge and overturn HOA budget decisions, facilitating a more democratic process.

Blame Allocation:

- HOA Board: For not providing adequate information and for setting high barriers to homeowner participation and decision-making.
- Legal Framework: For allowing such practices that limit transparency and homeowner involvement in HOA governance.

Story 20: "HOA Board System is a Faulty Product"

["HOA Board System is a Faulty Product"](#)

Written by: Unknown

Date written: 01 Dec 2023

Detailed Summary:

- The author, after reading numerous stories on the HOA Task Force, acknowledges the widespread anger and frustration among homeowners.
- They reference the founder of the Community Associations Institute (CAI), Byron Hanke, who admitted that the industry benefits attorneys, managers, and vendors, but not homeowners.
- The writer compares harmful HOA board practices to historically harmful products like asbestos, illustrating the need for protective laws and standards.
- The current HOA board model is criticized for assigning unqualified individuals total responsibility and power, often leading to negative behaviors like bullying and financial mismanagement.
- The writer calls for substantial education for HOA boards or a shift to management by skilled professionals, rather than unlicensed, predatory management companies.

Judgment:

- The current HOA board system is flawed, often leading to harmful practices due to unqualified individuals wielding too much power without adequate oversight or education.
- This system needs significant reform to protect homeowners and ensure ethical, competent management of HOA communities.

Advice to Lawmakers:

- Mandate comprehensive education and training for HOA board members to improve governance and decision-making.
- Consider establishing a system managed by licensed, professional companies to ensure competent and ethical management of HOAs.
- Develop stricter regulations and oversight mechanisms to prevent abusive practices by HOA boards and management companies.

Blame Allocation:

- HOA Boards: For poor governance and unethical practices due to lack of qualification and unchecked power.
- Legal and Regulatory Framework: For not providing enough safeguards against the harmful practices of HOA boards and management companies.

Story 21: "Hands Tied by Metro District"

["Hands Tied by Metro District"](#)

Date: 27 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner, residing in Sterling Ranch, Littleton for over 5 years, expresses frustration with the lack of influence homeowners have in decision-making, particularly in a metro district-governed development.
- The board, dominated by non-resident members, often dismisses homeowner input, leading to a sense of powerlessness among residents.
- A significant issue arose when a construction defect related to a two-water-meter system was acknowledged but not rectified by the Community Administrative Board (CAB), leaving homeowners to deal with it.
- Homeowners banded together to fight for a variance to the water covenants, avoiding a costly repair. However, this variance is subject to change by future board decisions.
- The governance structure of the metro district limits legal recourse for homeowners, tying their hands in situations where developer or board actions are detrimental.

Judgment:

- The governance structure in this metro district heavily favors the developer and non-resident board members, undermining the democratic process and homeowner rights.
- The lack of accountability and legal options for homeowners in such situations is a significant flaw in the metro district model.

Advice to Lawmakers:

- Review and reform the governance structures of metro districts to ensure fair representation of resident homeowners.
- Establish legal avenues for homeowners to seek redress in cases of negligence or unfair practices by metro district boards or developers.

Blame Allocation:

- Metro District Governance: For allowing a structure that heavily favors developers and non-resident board members over the actual residents.
- CAB and Developers: For failing to address acknowledged construction defects and shifting the financial burden to homeowners.

Story 22: "A Question for Representative Ricks"

["A Question for Representative Ricks" - Engage Colorado DORA](#)

Date: 26 Nov 2023

Written by: Homeowner

Detailed Summary:

- During a public meeting on October 24, 2023, Colorado State Representative Naquetta Ricks advocated for the licensing of HOA managers to prevent financial crimes.
- Rep. Ricks highlighted issues with unlicensed HOA management companies, including cases where they absconded with homeowners' funds.
- The statement raises a question about why law enforcement is not more actively pursuing these HOA managers for their criminal activities and why homeowners are left to bear the financial consequences.
- The concern points to a gap in the regulatory and enforcement mechanisms that should be protecting homeowners from such financial crimes.

Judgment:

- The lack of licensing and regulation for HOA management companies creates a vulnerability that can be exploited to the detriment of homeowners.
- There is a need for stronger enforcement and legal recourse for homeowners when financial crimes occur within their HOAs.

Advice to Lawmakers:

- Implement licensing requirements for HOA management companies to ensure accountability and professional standards.
- Strengthen laws and enforcement mechanisms to prosecute financial crimes committed by HOA managers and protect homeowners.

Blame Allocation:

- Regulatory Bodies: For the lack of effective oversight and licensing of HOA management companies.
- Law Enforcement: For not actively pursuing criminal activities committed by HOA managers.

Story 23: "Making Greiving Easier"

["Making Greiving Easier" - Engage Colorado DORA](#)

Date: 26 Nov 2023

Written by: Homeowner

Detailed Summary:

- The writer, dealing with the passing of their father, encountered issues with an HOA while trying to manage inherited properties.
- They faced a heating issue in one of the properties, but the HOA refused to provide necessary documents since the writer was not the official owner yet.
- The process to become the official owner required a death certificate and potentially a letter from probate court, causing delays in resolving the heating issue.
- The writer questions why HOA governing documents are not publicly available online, which could have facilitated easier access and resolution of the issue.

Judgment:

- The situation highlights a lack of flexibility and understanding in HOA policies during times of crisis or transition in property ownership.
- The restricted access to HOA documents for individuals who are in the process of inheriting properties creates unnecessary complications and delays.

Advice to Lawmakers:

- Consider legislation that requires HOAs to make governing documents publicly accessible, particularly to facilitate transitions in property ownership.
- Implement policies that ensure HOAs provide necessary support and information to individuals dealing with estate matters or inheritance issues.

Blame Allocation:

- HOA Policies: For lack of accessibility to governing documents and inflexible procedures during property transition periods.
- Legal Framework: For not mandating public access to HOA governing documents to aid in property management and inheritance processes.

Story 24: "H.O.A. Transparency: A Proposal"

["H.O.A. Transparency: A Proposal"](#)

Date: 25 Nov 2023

Written by: Unknown

Detailed Summary:

- The story highlights a significant issue in HOA management: the lack of transparency compared to publicly traded companies.
- Governor Polis' 2019 Executive Order directed DORA to enhance HOA transparency. DORA's subsequent report likely provides insights into the current state and needed reforms.
- The proposal suggests HOAs create a detailed, regular report similar to a company's prospectus, containing comprehensive information on financial health, governance, and operations.
- Key information to include: financial statements, board details, and governance documents.
- Public accessibility and standardized reporting formats are emphasized for easy comparison and understanding.
- Implementation challenges include potential resistance from HOAs and logistical hurdles in standardization and enforcement.
- The proposal could revolutionize homeowner decision-making, offering transparency and empowering residents with critical information.

Judgment:

- The proposal addresses a crucial gap in HOA governance, offering a viable solution to improve transparency and accountability.
- Successful implementation depends on legislative action, stakeholder cooperation, and effective enforcement mechanisms.
- The lack of transparency in HOAs is a major governance issue, affecting homeowner rights and decision-making. This proposal, inspired by public company reporting standards, is an innovative approach to address this.
- The concept of an HOA producing a prospectus-like document is both ambitious and necessary. It's a bold step towards ensuring that homeowners have essential information about their community's financial health and governance practices.
- The proposal, while promising, faces challenges in terms of implementation, compliance, and potential resistance from the HOA industry, which historically has been opaque.

Advice to Lawmakers:

- Legislate the requirement for HOAs to produce and publicly file detailed financial and operational documents.
- Establish standardized formats and public accessibility to empower homeowners and potential buyers.
- Lawmakers should seriously consider legislation mandating HOAs to produce comprehensive, standardized reports. These reports should be easily accessible to the public and provide a transparent view of the HOA's financial and operational status.
- Implement mechanisms for strict enforcement of these transparency requirements, including penalties for non-compliance.
- Consider establishing an independent oversight body responsible for reviewing these documents, ensuring accuracy, and addressing any discrepancies.

- Engage in stakeholder consultation, including homeowners, to understand their needs and perspectives in shaping these laws.

Blame Allocation:

- **HOA Corporations:** For the current lack of transparency and accessible information.
- **Legislative Framework:** For not mandating sufficient transparency and accountability measures in HOA governance.
- **Current Legislative Framework:** There is a clear gap in the existing laws regulating HOAs, which has allowed a lack of transparency and accountability to persist.
- **HOA Boards and Management Companies:** They bear responsibility for the current lack of openness, often choosing to operate without sufficient transparency to the detriment of homeowners.
- **Regulatory Bodies:** Agencies like DORA need to take a more proactive role in enforcing transparency and holding HOAs accountable.
- **The HOA Industry at Large:** There's a systemic issue within the industry, where a culture of opacity has been allowed to thrive, often prioritizing the interests of boards and management over those of the homeowners.

Story 25: "Task Force Observations II"

["Task Force Observations II"](#)

Date: 24 Nov 2023

Written by: Homeowner

Detailed Summary:

- This narrative recounts the author's experience observing the second Task Force Meeting, focusing on the implications of HB22-1137.
- The author, who is likely a homeowner, expresses concern over the impact of the bill, especially the cost implications for law-abiding homeowners.
- The story indicates a sentiment that the Task Force may disproportionately focus on non-compliant individuals, potentially overshadowing the needs of compliant members.
- The author, identifying as a retired widow, suggests that while an entity to manage multi-family homes is necessary, the effectiveness and cost-efficiency of HOAs in this role are questionable.

Judgment:

- The author brings to light a potentially overlooked group in the HOA discourse: rule-abiding homeowners who are financially impacted by legislation aimed at non-compliance.
- The reflection suggests a need for a balanced approach in HOA governance and legislation, one that considers both compliance and the financial well-being of its members.

Advice to Lawmakers:

- It's crucial for lawmakers to ensure that new legislation does not inadvertently penalize compliant homeowners and consider mechanisms to offset costs imposed by legal requirements.
- Lawmakers should consider creating more nuanced enforcement mechanisms that differentiate between willful non-compliance and those who may be struggling to comply due to financial constraints.

Blame Allocation:

- **The Task Force and Legislators:** For potentially failing to adequately address the concerns of compliant homeowners in their discussions and recommendations.
- **HOA Boards and Management:** They may be held accountable for not effectively communicating the rationale behind policy changes and assessment increases to the members.

Story 26: "Goats and HOA Board"

["Goats and HOA Board"](#)

Date: 24 Nov 2023

Written by: Homeowner

Detailed Summary:

- A homeowner in El Paso County details their experience with an HOA regarding the keeping of Nigerian dwarf goats.
- Initially given outdated covenants, the homeowner was later told to reduce or remove their goats, despite the board's previous encouragement of their herd.
- The homeowner points out the board's selective enforcement of rules and lack of amendments to covenants.
- A committee has been formed to amend the covenants, but there's resistance to enforcing these changes consistently, maintaining the board's disproportionate power.

Judgment:

- The board's inconsistent application of the covenants and lack of transparency in enforcement practices demonstrate a governance issue within the HOA.
- The homeowner's frustration with the board's approach to rule enforcement indicates a need for clearer guidelines and equitable treatment of residents.

Advice to Lawmakers:

- Legislation could require HOAs to maintain up-to-date covenants and enforce them uniformly to prevent selective enforcement and ensure fairness.
- Consider introducing measures that protect homeowners' rights to maintain hobby farms in line with county zoning, particularly when such activities do not harm the community.

Blame Allocation:

- **The HOA Board:** For inconsistent rule enforcement and for not updating the covenants to reflect the community's current standards and needs.
- **Real Estate Professionals:** For providing incorrect information to homeowners, contributing to misunderstandings about HOA rules and enforcement.

Story 27: "Transparency, yet again"

["Transparency, yet again"](#)

Date: 22 Nov 2023

Written by: Homeowner

Detailed Summary:

- The author expresses disillusionment after attending a webinar, feeling that their concerns as a homeowner may not be addressed.
- They criticize the unrealistic expectation for homebuyers to thoroughly review HOA documents during the closing process and suggest an immediate transfer of these documents after sale agreement.
- The author points out misleading use of surveys by the task force and contrasts different survey results regarding HOA satisfaction.
- They highlight ongoing investigations into the Champlain Towers South collapse and mention HOAs with public websites that transparently provide budgets and governing documents.
- The writer calls for respect and empathy for individuals facing foreclosure by an HOA, emphasizing the personal impact beyond statistics.

Judgment:

- The homeowner identifies a critical gap in the home buying process regarding the accessibility of HOA documents and the potential consequences of ignorance about ongoing issues within the HOA.
- There's a call for more honest representation of homeowner satisfaction and a plea for greater compassion in discussions about foreclosures.

Advice to Lawmakers:

- Ensure timely and comprehensive access to HOA documents for potential buyers to make informed decisions.
- Require HOAs to present clear and accessible information on their public platforms, avoiding the concealment of crucial data behind industry surveys.

Blame Allocation:

- **HOAs and Real Estate Agents:** For not facilitating access to crucial governance documents and details about ongoing legal issues during the home buying process.
- **Task Force and Industry Surveys:** For potentially providing biased or incomplete data that may not represent the actual experiences of homeowners.

Story 28: "HOA's only get money from the owners"

["HOA's only get money from the owners"](#)

Date: 21 Nov 2023

Written by: Board Member

Detailed Summary:

- The author addresses a dilemma where HOAs are expected to maintain community amenities without sufficient means to raise funds.
- They note that local governments have ceased providing certain amenities, shifting the responsibility to HOAs, but simultaneously, there are efforts to restrict HOA's financial management abilities.
- The current financial model for associations relies solely on homeowner assessments, and suggestions like requiring developers to fund HOAs would ultimately still impact homeowners financially.
- The author argues that while HOAs cannot manage individual financial situations, broader lending practices could be reformed to ensure homeowners can afford their homes and related HOA costs.

Judgment:

- The piece reflects a concern that legislative and social expectations on HOAs may exceed their financial capabilities and control, potentially leading to financial strain on homeowners.

Advice to Lawmakers:

- Legislators should consider the financial sustainability of HOAs when crafting legislation, ensuring that HOAs have the means to fulfill their responsibilities without overburdening homeowners.

Blame Allocation:

- **Local Governments:** For shifting the burden of providing and maintaining amenities to HOAs without adequate financial pathways.
- **Legislative Actions:** For possibly restricting HOAs' abilities to manage funds in a way that aligns with their increased responsibilities.

Story 29: "Task Force Needs To Be Held Accountable"

["Task Force Needs To Be Held Accountable"](#)

Date: 21 Nov 2023

Written by: Homeowner

Detailed Summary:

- The writer criticizes Lallis Jackson's assertion that people choose to live in HOAs, arguing that often no choice exists due to a lack of affordable non-HOA properties.
- They contend that buyers are not informed about HOAs and their associated rules, implying a systemic issue of misinformation or lack of transparency in real estate transactions.
- The author suggests that this ignorance may lead to homeowners being unfairly held accountable to rules they were unaware of, equating this to false advertising or gaslighting.

Judgment:

- This narrative questions the ethical standards of real estate disclosure and the Task Force's understanding of homeowners' realities, highlighting a disconnect between policy discussions and on-the-ground experiences.
- The story highlights a need for better disclosure to potential homeowners regarding HOA rules and responsibilities.
- It emphasizes the importance of transparency and informed consent in HOA governance and decision-making.

Advice to Lawmakers:

- Implement measures to ensure full disclosure about HOA conditions and rules to potential homeowners.
- Establish accountability mechanisms for HOAs and related task forces to uphold transparency and fairness in their operations.

Blame Allocation:

- **HOAs and Real Estate Industry:** For potentially failing to provide clear and comprehensive information to potential buyers about HOA conditions.
- **Task Force and Policy Makers:** For possibly not enforcing adequate disclosure requirements and accountability in HOA governance.

Story 30: "2 Acre Rural-Residential Zoned Lots in an HOA - NO BACKYARD CHICKENS/PETS"

["2 Acre Rural-Residential Zoned Lots in an HOA - NO BACKYARD CHICKENS/PETS"](#)

Date: 21 Nov 2023

Written by: Homeowner

Detailed Summary:

- A homeowner describes the conflict within their HOA in rural Larimer County over the right to keep backyard chickens on their 2-acre residential lots.
- The HOA's rules, written two decades ago, prohibit poultry, conflicting with county regulations that allow up to 50 birds per acre.
- A subcommittee proposed reasonable chicken-keeping rules inspired by Fort Collins' regulations, but opposition from a vocal minority has hindered progress.
- The author calls for state law to support homeowners' rights to food production and enjoyment of their property, suggesting that outdated covenants are inhibiting modernization and flexibility among property owners.

Story 31: "Task Force, Do You Have the Courage?"

["Task Force, Do You Have the Courage?"](#)

Date: 20 Nov 2023

Written by: Homeowner

Detailed Summary:

- The author criticizes the current HOA model for lacking balance between homeowners and HOA boards, resulting in a negative impact on community cohesion.
- They argue that HOA boards often lack the necessary knowledge to manage effectively, causing more harm than good.
- The writer calls on the Task Force to stop focusing on minor issues and instead address the significant problem of educating HOA boards or employing professional, licensed managers.
- The contributor believes that the current operation of HOAs is detrimental to the sense of community and efficiency.

Judgment:

- The narrative suggests that the current operation of HOAs, particularly by inexperienced boards, is detrimental to the sense of community and efficient management.
- The story emphasizes the need for better education and training for HOA boards or alternative management solutions to improve community governance.

Advice to Lawmakers:

- Consider legislation to mandate comprehensive education and training for HOA board members.
- Explore the feasibility of requiring licensed managers to oversee HOA operations.

Blame Allocation:

- HOA Boards: For not possessing or seeking the required expertise to manage communities constructively.
- Task Force: For possibly focusing on peripheral issues rather than addressing the core problems with HOA governance.

Story 32: "Task Force, Do You Have the Courage to Address the Real Issue?"

["Task Force, Do You Have the Courage to Address the Real Issue?"](#)

Date: 20 Nov 2023

Written by: Homeowner

Detailed Summary:

- The author challenges the HOA Task Force to acknowledge evidence suggesting that HOA boards are often unprepared and unqualified.
- They highlight a lack of education for board members and criticize the system for blaming homeowners rather than addressing systemic issues.
- The writer questions the integrity of public representatives who validate a flawed system and urges the Task Force to prioritize addressing the fundamental issues harming citizens.

Judgment:

- There is an implication that the HOA system requires significant overhaul, particularly in education and support for board members.
- The story underscores the need for reform in the training and preparation of HOA board members and a shift in the system to hold boards accountable.

Advice to Lawmakers:

- Implement mandatory training and qualification requirements for HOA board members.
- Establish oversight mechanisms to ensure accountability in HOA governance and to prevent the unfair blaming of homeowners.

Blame Allocation:

- **HOA Boards:** For potentially lacking the proper preparation and education to fulfill their responsibilities effectively.
- **Task Force and Public Representatives:** For possibly failing to confront and rectify systemic issues within HOA governance.
- **Lack of Systemic Accountability:** For not holding HOA boards responsible and blaming homeowners instead.

Story 33: "Budget and Board Meeting"

"Budget and Board Meeting"

Date: 20 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner describes the budget discussion process in their HOA board meeting.
- A notification was mailed to all homeowners about the meeting, adhering to the bylaws.
- Despite efforts to involve the community, only 7 out of 87 households participated.
- The upcoming annual meeting will provide another opportunity for detailed budget discussions and homeowner input, including the right to veto the budget.

Judgment:

- The HOA board's effort to maintain transparency through notifications is commendable. However, the low turnout at the meeting indicates either a lack of interest or a disconnect between the board and the homeowners.
- The process of discussing important policies and budgets could be more engaging to ensure better community participation and informed decision-making.

Advice to Lawmakers:

- Encourage HOAs to adopt more proactive measures in engaging homeowners and increasing participation in important meetings and decisions.
- Consider legislation to strengthen the rights of homeowners in the budgetary process and enhance transparency in HOA governance.

Blame Allocation:

- HOA Board: For possibly not engaging homeowners effectively, despite following the necessary procedural steps.
- Homeowners: Partial responsibility lies with the homeowners for the low engagement and participation in the HOA's governance processes.

Story 34: "Transparency and Accountability"

"Transparency and Accountability"

Date: 20 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner shares a critical view of their HOA's operations, highlighting transparency and accountability issues.
- The management company's website, a key information source, is poorly managed and contains inaccurate information, including irrelevant HOA records.
- The homeowner experiences non-responsiveness and dismissiveness from the management company regarding community issues.
- Financial records are ambiguous, and board election procedures appear opaque, raising questions about governance practices.
- The homeowner feels marginalized by a system that seems to prioritize board control over community interests.
- Initial Misinformation: The homeowner was not informed about the HOA's responsibilities or the ongoing construction defect lawsuit at the time of purchase, indicating a lack of transparency from the outset.
- Unreliable Website: The HOA's website, managed by the management company, is critiqued for being misleading, often displaying incorrect information, including documents belonging to a different HOA.
- Non-Responsiveness: The management company shows a consistent pattern of non-responsiveness to issues raised by homeowners, such as maintenance problems.
- Financial Ambiguities: The homeowner discovers the use of "suspense accounts" in the HOA's financial records and questions the management of funds, suggesting potential financial mismanagement.
- Board Governance Issues: There's an apparent lack of proper board member elections, with the current members possibly self-appointing themselves. This raises concerns about the democratic process and accountability within the HOA.
- Community Manager's Role: The community manager is described as admonishing homeowners for alleged violations, yet the specific rules or violations are not clearly outlined in the CCR and by-laws. This leads to confusion and possibly arbitrary enforcement of rules.
- Homeowners' Experiences: The story reflects the frustration and helplessness of homeowners facing an HOA system that seems to prioritize its own interests over those of the community.

Judgment:

- The narrative points to systemic issues within the HOA, including mismanagement, poor communication, and a lack of accountability from both the management company and the board.
- The situation reveals a power imbalance where the homeowners' voice and interests are overshadowed by the board's insular decisions.
- The homeowner's experience reveals serious issues of governance, transparency, and accountability within the HOA. There seems to be a significant disconnection between the management company, the board, and the homeowners.

- The manner in which the HOA is run appears to undermine the community's trust and cohesion, leading to a breakdown in effective communication and management.
- The financial ambiguities and lack of clarity in board member elections are particularly concerning, as they directly impact homeowners' trust and the overall integrity of the HOA's operations.

Advice to Lawmakers:

- Mandate clear and accessible communication channels between HOA boards, management companies, and homeowners.
- Implement stricter regulations on financial transparency and accountability in HOAs.
- Ensure that homeowners have adequate mechanisms to address grievances and participate in decision-making processes.

Blame Allocation:

- **HOA Management Company:** For failing to maintain a reliable and transparent source of information, and for their lack of responsiveness to homeowners' concerns.
- **HOA Board:** For the lack of transparency in their governance practices, particularly in financial management and the board election process.
- **Overall HOA System:** For systemic issues that allow such governance and management failures to occur, including a lack of checks and balances to hold the board and management company accountable.

Story 35: "HOA Weaponization"

"HOA Weaponization"

Date: 18 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner recounts their experience living next to a former HOA board member who frequently files complaints with the HOA and authorities against them.
- These complaints, often baseless, create a cycle of defense for the accused homeowners, requiring them to prove their innocence.
- The homeowner suggests a systemic problem where repeated baseless complaints are entertained by the HOA without repercussions for the complainants.

Judgment:

- The story highlights a significant issue in the HOA's complaint and enforcement process, where the burden of proof unjustly falls on the accused homeowner.
- This situation reflects a need for reform in how complaints are handled, ensuring fairness and preventing abuse of the system.

Advice to Lawmakers:

- Encourage HOAs to adopt fairer complaint resolution processes that presume homeowner innocence and require complainants to provide evidence.
- Consider implementing penalties for repeated baseless complaints to discourage abuse of the HOA complaint system.
- Clear need for Alternate Dispute Resolution for homeowners that is fair

Blame Allocation:

- **HOA Board and Management:** For not having a robust system to filter and validate complaints, leading to harassment of innocent homeowners.
- **The Complainant:** For misusing the HOA's complaint process to target specific residents, contributing to a hostile community environment and lacks deterrents against abuse.
- **Former HOA Board Member & Group of Friends:** For misusing the HOA complaint process for personal agendas.

Story 36: "Unknown"

"Unknown"

Date: 16 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner expresses concern over the rapid increase in their monthly maintenance fee from \$97 in 1/2020 to \$370, citing a lack of urgent repairs to justify such a hike.
- They also mention the HOA board's decision to sell a community-owned unit, with their attempts to address these issues through emails met with discouragement.
- The writer feels discouraged and uncertain about how to address these issues, indicating a lack of clear recourse and communication with the HOA.
- The writer is hesitant to share original emails for fear of casting themselves in a negative light.

Judgment:

- This account raises questions about the transparency and justification behind significant fee increases and decisions made by the HOA board.
- Shows clear signs of ineffective communication within the HOA.

Advice to Lawmakers:

- Implement regulations to control abrupt fee increases and ensure transparency in HOA financial decisions.
- Establish clear channels for homeowner communication and grievance redressal within HOAs.

Blame Allocation:

- **HOA Board:** For potentially making financial decisions without adequate transparency or communication with the homeowners.
- **Communication Process:** For failing to provide a responsive and respectful channel for homeowners to voice their concerns and seek explanations.

Story 37: "Dictatorship One Lot One Vote"

["Dictatorship One Lot One Vote"](#)

Date: 16 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner, new to an HOA, expresses disillusionment with its governance, likening it to a dictatorship.
- The HOA has twenty lots, with the developer and family owning eight, and four more controlled by a business partner.
- The developer, wielding twelve votes through proxies, dominates decision-making, with no other board members besides the developer and spouse.
- Other homeowners feel disenfranchised, unable to influence the HOA's decisions.

Judgment:

- The situation exemplifies a severe imbalance of power within the HOA, leading to a lack of fair representation and decision-making.

Advice to Lawmakers:

- Consider legislation to cap the voting power of individual entities in HOAs to prevent monopolization of decision-making.
- Explore reforms to ensure more equitable and democratic governance structures within HOAs.

Blame Allocation:

- **Developer:** For exploiting the voting system to maintain control over the HOA.
- **HOA Governance Structure:** For allowing a voting system that enables such disproportionate control.

Story 38: "Hostage to HOA!"

["Hostage to HOA!"](#)

Date: 14 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner purchased a timeshare with BGV in 2008 and paid in full. However, they have encountered escalating HOA fees, which have now surpassed their financial capacity as a retired senior on a fixed income.
- The homeowner feels trapped, as they must continue to pay these escalating HOA fees to avoid losing their investment.
- They express frustration that the terms initially presented to them are not being honored, indicating a change in the HOA's policies or management over time.
- The story ends with a call for new regulations and consumer protection measures to address such issues.

Judgment:

- The homeowner's situation highlights a common issue in HOAs where fee escalations can significantly impact owners, especially those on fixed incomes.
- The sense of being trapped by financial obligations to an HOA, despite owning the property outright, raises questions about the fairness and sustainability of such models.

Advice to Lawmakers:

- Implement consumer protection laws to provide relief options for timeshare owners, especially seniors, facing unmanageable HOA fees.
- Ensure transparency and fairness in the escalation of HOA fees and provide options for selling or exiting timeshare investments.

Blame Allocation:

- **HOA Management:** For not maintaining stable and reasonable fee structures, leading to financial strain on homeowners.
- **Regulatory Framework:** For a lack of adequate consumer protection measures that consider the financial stability and rights of timeshare and property owners.

Story 39: "Insurance Debacle"

["Insurance Debacle"](#)

Date: 11 Nov 2023

Written by: Homeowner

Detailed Summary:

- Latigo HOA in Castle Rock faced an insurance crisis when their carrier canceled the policy, and this information was belatedly communicated to the board.
- A new policy, signed under unclear circumstances, increased costs dramatically, leading to a steep hike in HOA dues from \$300 to \$820.
- Many residents, primarily retirees on fixed incomes, are financially strained by this increase, leading to canceled property sales.
- An emergency meeting to discuss the budget ended in confusion and anger due to issues with proxies and a lack of clarity on policy coverage.

Judgment:

- The incident demonstrates severe mismanagement by the HOA's management company, reflecting a lack of foresight and poor communication.
- The financial burden placed on homeowners, especially those on fixed incomes, raises serious concerns about the management's decision-making process.

Advice to Lawmakers:

- Implement regulations ensuring timely communication of significant changes in HOA policies and financial decisions.
- Establish guidelines for responsible financial management in HOAs to prevent drastic increases in dues and protect homeowners, especially those on fixed incomes.

Blame Allocation:

- **Management Company:** For failing to communicate timely with the board and for potentially making unilateral decisions leading to financial strain on homeowners.
- **HOA Board:** For not having adequate oversight of the management company and failing to ensure transparent and democratic decision-making processes.
- **HOA Governance Structure:** For lacking effective mechanisms to involve homeowners in significant financial decisions and for not having safeguards against financial mismanagement.

Story 40: "Comments on Task Force Webinar - 10/24/23"

["Comments on Task Force Webinar - 10/24/23"](#)

Date: 10 Nov 2023

Written by: Unknown

Detailed Summary:

- Mike Lovette offers feedback on various HOA-related topics discussed in a Task Force webinar.
- On homeowner participation, he suggests that the website's "HOA Story" section suffices for expressing concerns, fearing open meetings could become unproductive.
- He views dispute resolution reaching arbitration as a failure of the system, suggesting laws should prevent such escalation.
- Lovette critiques his own HOA board for underfunding reserves, recommending stronger CCIOA enforcement to ensure adequate funding.
- He proposes fining homeowners who don't participate in HOA processes to combat apathy.
- He supports any logical method for reserve studies and urges yearly revisions to catch errors.
- Communication between homeowners and HOA boards is identified as a key issue, advocating for mandatory reciprocal communication beyond annual meetings.

Judgment:

- Lovette's comments reflect a practical and solution-focused approach to improving HOA governance and homeowner engagement. He emphasizes the need for better communication, responsible financial management, and proactive homeowner involvement.

Advice to Lawmakers:

- Consider incorporating suggestions for enhancing dispute prevention, fiscal responsibility, homeowner participation, and communication in HOA legislation.

Blame Allocation:

- HOA Boards: For potential financial mismanagement and lack of effective communication with homeowners.
- Legislative Framework: For not providing stronger guidelines to ensure active homeowner participation and efficient dispute resolution processes.

Story 41: "In Need of Training"

["In Need of Training"](#)

Date: 09 Nov 2023

Written by: Homeowner

Detailed Summary:

- The author criticizes the lack of training for HOA board volunteers, noting that most HOA management companies only assist with financial matters.
- They observe that some boards allow the management company to take over too much control, resulting in excessive fines and other issues.
- The writer suggests a prevalent problem where people's interpretation of governing documents varies due to lack of proper guidance or training.

Judgment:

- The story underscores a crucial need for standardized training for HOA board members to ensure they understand and fulfill their roles responsibly.

Advice to Lawmakers:

- Consider mandating training programs for HOA board members to ensure they are well-equipped to manage their communities effectively.
- Explore regulations to define the roles of management companies and ensure they support boards in more than just financial matters.

Blame Allocation:

- **HOA Management Companies:** For potentially taking too much control and not providing adequate guidance outside of finances.
- **HOA Boards:** For failing to seek necessary training or clarification on their roles and responsibilities.
- **HOA Governance System:** For not mandating necessary training and clearer role definitions for board members and management companies.

Story 42: "It's All Personal in Our H.O.A."

["It's All Personal in Our H.O.A."](#)

Date: 08 Nov 2023

Written by: Homeowner

Detailed Summary:

- **Governance Concerns:** The homeowner's account highlights an overbearing HOA president and a passive board, leading to power imbalances and governance issues.
- **Conflict of Interest and Term Limit Violations:** There are allegations of conflicts of interest and ignoring term limits, crucial for fair governance within the HOA.
- **Retaliatory Behavior:** The homeowner alleges retaliation for raising governance issues, suggesting a toxic power dynamic.
- **Selective Rule Enforcement:** The story points to the selective enforcement of rules, causing unfair treatment and resentment among HOA members.
- **Suggested Remediation:** Limiting the HOA's power to managing common areas is proposed to curtail corruption and misuse of authority.

Judgment:

- **Major Governance Flaws:** The situation indicates significant governance deficiencies, including bias, lack of democratic processes, and potential legal violations.
- **Call for Reform:** There's an urgent need for restructuring the HOA's management to ensure fairness and legal compliance.

Advice to Lawmakers:

- **Strengthen HOA Oversight:** Implement more rigorous regulations and oversight for HOAs, ensuring adherence to legal and ethical standards.
- **Improve Transparency and Accountability:** Mandate disclosure of HOA board activities to homeowners and enforce term limits and conflict of interest rules.
- **Empower Homeowners:** Develop legal frameworks to support homeowners in challenging and replacing board members not acting in the community's interest.

Blame Allocation:

- **HOA President and Board Members:** Responsible for alleged unethical conduct, failure to comply with bylaws, and potential retaliation against concerned homeowners.
- **Legal and Regulatory Framework:** A lack of effective oversight may be contributing to these HOA issues.
- **Community Involvement:** The wider community, including other homeowners, is partially responsible for allowing such governance issues to persist.

Story 43: "HOA Members Not Being Allowed to Be Sued - Laws Need to Change"

["HOA Members Not Being Allowed to Be Sued - Laws Need to Change"](#)

Date: 08 Nov 2023

Written by: Homeowner

Detailed Summary:

- A fire at a condominium complex revealed that the HOA was aware of non-functional fire hydrants but chose not to repair them. This negligence contributed to extensive damage and displacement of 10 families.
- Residents are still required to pay HOA fees despite being unable to live in or access their properties. The HOA is mismanaging funds and not providing transparency or cooperation.
- The HOA's decisions, including hiring a personal investigator and a company to audit personal property without sharing findings, raise serious concerns about their accountability and priorities.
- Efforts to address the situation, like finding better insurance, are being ignored by the HOA. There are also issues with homeowner's insurance covering unrelated HOA expenses.
- The HOA has also exhibited a disregard for personal safety and legal matters, such as hiring a company with an employee who has a restraining order against a resident.
- Financial audits have been conducted but the results are undisclosed, raising further doubts about the HOA's management.

Judgment:

- The HOA's actions demonstrate a severe lack of responsibility, transparency, and regard for residents' safety and rights. Their failure to maintain essential safety equipment, combined with financial mismanagement and a lack of accountability, is unacceptable.

Advice to Lawmakers:

- Implement laws to ensure HOAs are accountable for maintaining safety standards, especially regarding essential services like fire hydrants.
- Mandate transparency in financial dealings and audits of HOAs to protect residents from mismanagement.
- Allow residents legal recourse against HOAs for negligence and failure to uphold safety and maintenance standards.
- Review and possibly reform laws that prevent HOA members from being sued, ensuring that they can be held legally accountable for their actions.

Blame Allocation:

- **HOA Board Members & Property Management:** For their negligence in safety standards and financial mismanagement.
- **Laws & Legal Framework:** For limiting residents' ability to seek legal recourse against HOA mismanagement and negligence.
- **Community:** For potential lack of collective action against the HOA's mismanagement.

Story 44: "No HOA Foreclosures!"

["No HOA Foreclosures!"](#)

Date: 07 Nov 2023

Written by: Homeowner

Detailed Summary:

- The story details a severe case where a homeowner's son lost his home worth over \$500,000 due to a judicial foreclosure initiated by the HOA over a debt of less than \$2000.
- The homeowner suggests that HOAs should be restricted from initiating foreclosures and should resort to liens or civil cases instead.

Judgment:

- The action taken by the HOA seems disproportionate and excessively punitive, especially given the relatively small amount of the debt compared to the value of the property.

Advice to Lawmakers:

- Consider legislation that limits or prohibits HOAs from initiating foreclosures over small debts, ensuring that the response to delinquent payments is proportionate and fair.
- Implement guidelines for HOAs to use less extreme measures like liens or civil lawsuits for debt recovery.
- Ensure homeowner protection laws are in place to prevent predatory practices by HOAs.

Blame Allocation:

- **HOA & Property Management:** For choosing a drastic measure like foreclosure over a relatively minor debt, reflecting a lack of proportionality and fairness.
- **Laws & Legal Framework:** For allowing such disproportionate actions by HOAs, indicating a need for legislative reform to protect homeowners.

Story 45: “HOA Lawsuit”

[”HOA Lawsuit”](#)

Date: 07 Nov 2023

Written by: Homeowner

Detailed Summary:

- A homeowner is embroiled in a legal battle with their HOA over a pathway lacking Architectural Review Committee (ARC) approval.
- Despite attempts to communicate, the HOA has reportedly not responded and has inundated the homeowner with what they claim are falsified violations.
- The HOA's lawsuit has led to extensive legal costs for both parties, creating financial strain and a hostile community environment.
- The HOA board is described as opaque, with anonymous committee members and a lack of transparency in their actions.
- There are accusations of the HOA board engaging in personal attacks, censorship, and bullying tactics, including unwarranted police reports and welfare checks.
- The HOA has neglected its maintenance duties, focusing instead on pursuing legal action against the homeowner.
- The homeowner's contributions to the community, through decoration efforts and community service, are contrasted with the HOA's antagonistic behavior.
- The homeowner reveals a history of aggressive legal actions by the HOA and its law firm, including a past attempt at judicial foreclosure over a minor debt.

Judgment:

- The HOA's actions suggest a misuse of power, focusing on legal intimidation rather than community welfare. The lawsuit, based on the information provided, seems to be a continuation of a pattern of targeted harassment against the homeowner.

Advice to Lawmakers:

- Establish clear guidelines for HOA governance to prevent abuse of power and ensure that legal actions are justified and transparent.
- Protect homeowners from HOA overreach by setting limits on legal actions that can be taken for minor infractions.
- Create oversight mechanisms to hold HOAs accountable for maintaining community standards and appropriately using community funds.

Blame Allocation:

- **HOA Board Members & Legal Representatives:** For pursuing a hostile legal strategy that disregards community welfare and homeowner rights.
- **Legal System & Regulatory Framework:** For allowing such disputes to escalate without sufficient oversight or recourse for homeowners.

Story 46: “What I Would Like this Task Force to Address”

[“What I Would Like this Task Force to Address”](#)

Date: 06 Nov 2023

Written by: Homeowner

Detailed Summary:

- The author, a homeowner, expresses concerns about the existing HOA Board model, emphasizing its financial and emotional harm.
- They request the Foundation under CAI to investigate the HOA Board model's negative impacts.
- The story underscores the need for considering alternative governance models in HOAs.
- It highlights the significance of prioritizing homeowners, as they are not just stakeholders but residents whose lives are directly affected.

Judgment:

- The current HOA Board model appears to have systemic issues causing significant distress among homeowners.
- The focus should be on exploring alternative models that prioritize homeowner well-being and address inherent flaws in the current system.

Advice to Lawmakers:

- Investigate and reevaluate the HOA Board model's impact on homeowners.
- Consider legislative changes to promote alternative governance models in HOAs.
- Ensure homeowner voices are central in HOA governance decisions.

Blame Allocation:

- **HOA Board & Management Companies:** For perpetuating a governance model that negatively impacts homeowners.
- **Laws & Regulatory Framework:** For lacking adequate provisions to facilitate alternative, more homeowner-centric governance models.

Story 47: “Groundhog Day in the HOA World: We Need Another Governance Model ASAP”

[“Groundhog Day in the HOA World: We Need Another Governance Model ASAP”](#)

Date: 06 Nov 2023

Written by: Homeowner

Detailed Summary:

- The author, long involved in HOA affairs, likens their experience to "Groundhog Day," emphasizing recurring problems and ineffective solutions.
- Criticism is directed at the HOA Board model, deemed ineffective due to unqualified individuals wielding unchecked power and responsibility.
- The author highlights the failure of Stakehold Sessions aimed at addressing these issues, lamenting the lack of real change despite numerous discussions and meetings.
- The story points out that the inherent structure of the HOA Board often brings out negative traits in its members, contrary to the qualities desired in leaders.
- The author advocates for a rethink of the HOA Board model and suggests that the CAI Foundation should explore more effective governance alternatives.

Judgment:

- The systemic issues in the HOA Board model are apparent, contributing to repeated failures in addressing homeowner concerns and creating a cycle of dissatisfaction and inefficiency.
- A structural overhaul of the HOA governance model is imperative for meaningful improvement.

Advice to Lawmakers:

- Initiate thorough reviews of the HOA Board model, focusing on its impact on community wellbeing.
- Promote research and development of alternative governance models, prioritizing accountability, qualification, and homeowner welfare.
- Implement regulatory frameworks that encourage positive leadership traits and check the power dynamics within HOA boards.

Blame Allocation:

- **HOA Board & Management Companies:** For perpetuating a flawed governance system and not effectively addressing homeowners' issues.
- **Regulatory Bodies & Lawmakers:** For not providing adequate oversight and failing to enforce changes that address the core issues within HOA governance.

Story 48: “Task Force Initial Meeting Comments - Many of these can already be fixed by HOA members!!”

[“Task Force Initial Meeting Comments - Many of these can already be fixed by HOA members!!”](#)

Date: 05 Nov 2023

Written by: Board Member

Detailed Summary:

- The author emphasizes that HOAs are designed to be managed by the homeowners within each community.
- They argue that many issues on the agenda could be resolved by homeowners amending the governing documents of their community.
- The focus is on educating homeowners about their existing abilities to effect changes within their HOA.
- The story suggests that the task force should prioritize statutory issues causing problems (e.g., reference to statute 1137) rather than imposing new burdens on volunteer HOA board members.

Judgment:

- The narrative points out a crucial aspect often overlooked in HOA discussions: the power of homeowners to initiate change. This proactive approach can address many concerns internally.
- However, there is an underlying assumption that homeowners have the knowledge, willingness, and consensus to make these changes, which might not always be the case.

Advice to Lawmakers:

- Implement educational programs to empower homeowners with knowledge about their rights and abilities within HOA structures.
- Review and clarify statutory regulations that are causing issues in HOAs, such as statute 1137 mentioned.
- Create frameworks that facilitate easier modification of HOA governing documents by homeowners.

Blame Allocation:

- **Homeowners:** For not fully utilizing their power to amend community documents and initiate changes.
- **HOA Boards:** For potentially not adequately informing or empowering homeowners about their abilities to make changes.
- **Educational and Regulatory Systems:** For not providing sufficient knowledge and accessible mechanisms for homeowners to understand and exercise their rights within HOAs.

Story 49: “Average Home, Average Neighborhood, Average HOA with Unchecked Power”

[“Average home, average neighborhood, average HOA with unchecked power”](#)

Date: 03 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner describes initial warnings from neighbors about the strict HOA, which enforced minor infractions and created a fearful atmosphere.
- A change in the board led to the opposite extreme: lack of enforcement, late bills, poor maintenance, and uncommunicative governance.
- The homeowner criticizes the HOA for hefty late fees and unclear benefits, pointing out discrepancies in the use of funds for services like snow removal and fence repair, which are actually homeowner responsibilities.
- The story portrays the HOA as having significant power but lacking responsibility and transparency, resulting in frustration and disillusionment with the HOA model.

Judgment:

- The HOA's fluctuation between overly strict and excessively lax governance indicates a failure to strike a balance, leading to resident dissatisfaction and perceived injustice.
- The lack of accountability and transparency in the HOA's operations and financial management is a significant concern.

Advice to Lawmakers:

- Implement regulations ensuring HOA transparency, particularly in financial matters and rule enforcement.
- Establish mechanisms for homeowner feedback and involvement in decision-making processes.
- Set standards for HOA board conduct and operations to prevent extremes of over- or under-enforcement.

Blame Allocation:

- **HOA Board & Management:** For failing to maintain consistent, fair, and transparent governance, leading to resident dissatisfaction and perceived misuse of funds.
- **Regulatory Framework:** For not providing sufficient oversight mechanisms to ensure balanced and accountable HOA operations.

Story 50: “Out of Control HOA”

“Out of Control HOA”

Date: 03 Nov 2023

Written by: Board Member

Detailed Summary:

- The HOA notifies homeowners not to confront landscaping or snow removal crews directly about service complaints.
- Incidents of homeowners interfering with these crews have led to strained relations and potential loss of vendor contracts.
- The HOA board has had to issue apologies to vendors and warns that homeowners causing contract losses may face legal consequences.

Judgment:

- There is a breakdown in communication and cooperation between the HOA, homeowners, and vendors.
- The situation reflects a broader issue of control and respect within the community.

Advice to Lawmakers:

- Establish guidelines for homeowner and board interactions with service vendors.
- Implement conflict resolution mechanisms within HOAs to handle such disputes.

Blame Allocation:

- **Homeowners:** For direct confrontations with vendors, potentially jeopardizing service contracts.
- **HOA Board:** For possibly failing to provide effective channels for homeowners to express service-related grievances.

Story 51: “HOA Levied Fine Without Hearing”

[“HOA Levied Fine Without Hearing”](#)

Date: 02 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner was fined by the HOA without a hearing, following their demand for proper insurance before allowing roof access for gutter cleaning.
- The HOA accessed the roof without notification, violating safety regulations and voiding the roof warranty.
- The homeowner contests the fine, viewing it as either unlawful or an improper assessment without community consent.

Judgment:

- The actions of the HOA appear to be in violation of both procedural fairness and legal requirements for communal decision-making.
- The lack of proper communication and disregard for homeowner consent and safety regulations is concerning.

Advice to Lawmakers:

- Strengthen homeowner rights in disputes with HOAs, particularly regarding due process in levying fines or assessments.
- Ensure clear guidelines for insurance requirements and safety compliance for maintenance work in HOAs.

Blame Allocation:

- **HOA Board & Property Manager:** For imposing fines without due process and failing to adhere to safety and insurance requirements.
- **Legal and Regulatory Framework:** For potentially lacking clear provisions that protect homeowners from unilateral decisions by HOAs.

Story 52: “Religious Discrimination”

“Religious Discrimination”

Date: 02 Nov 2023

Written by: Homeowner

Detailed Summary:

- The homeowner was penalized for having Halloween and fall decorations up for an extended period.
- They note a perceived bias, as homes with year-round Christmas decorations face no penalties.
- The homeowner expresses concern over religious discrimination, inferred from the religious symbol in the photo used by the HOA for the ticket.

Judgment:

- There is a potential inconsistency in the enforcement of decoration guidelines, suggesting possible religious bias.
- The enforcement of such rules needs to be fair and non-discriminatory to all residents, regardless of their religious or cultural practices.

Advice to Lawmakers:

- Implement anti-discrimination laws specific to HOA governance.
- Provide clear, uniform guidelines for decoration and personal expression in community spaces to prevent biased enforcement.

Blame Allocation:

- **HOA Board:** For potentially discriminatory enforcement of decoration guidelines.
- **Community Standards and Oversight:** For lacking clear, equitable standards and failure to monitor for biased enforcement.

Story 53: “Task Force Observations”

“Task Force Observations”

Date: 27 Oct 2023

Written by: Unknown

Detailed Summary:

- The observer attended the first Task Force Meeting via YouTube and felt the typical rule-abiding homeowner was not represented.
- Concerns were raised about the cost of proposed alternative dispute resolutions and the potential unfair financial burden on all homeowners.
- The suggestion for more transparency in budgeting was criticized as unnecessary and potentially costly.
- The idea of licensing Community Association Managers was supported, but licensing requirements for volunteers in self-managed communities were viewed as unreasonable.

Judgment:

- The observer's insights suggest a gap in the representation and consideration of the typical homeowner's perspective in the Task Force discussions.
- Proposals for change should be balanced to consider their impact on all homeowners, not just those actively involved in disputes or management.

Advice to Lawmakers:

- Ensure diverse representation in Task Force meetings, including the perspectives of regular homeowners.
- Consider the financial implications of proposed changes on all community members.
- Balance the need for transparency and professionalism against the practicalities of community management.

Blame Allocation:

- **Task Force & Policy Makers:** For potentially overlooking the interests of average homeowners and imposing undue financial burdens.
- **HOA Management Practices:** For possibly failing to engage and inform all homeowners equally.

Story 54: “Citizen Sub Committee”

“Citizen Sub Committee”

Date: 26 Oct 2023

Written by: Homeowner

Detailed Summary:

- The author discusses their HOA, led by absentee owners, lacking interaction with residents and primarily focused on their own rental unit profitability.
- Observations from a Task Force hearing noted the dominance of real estate professionals and attorneys, lacking representation from regular HOA members.
- The author suggests forming a sub-committee of HOA citizens who have had conflicts with their HOAs to provide diverse perspectives.

Judgment:

- The current composition of the Task Force and HOA boards seems skewed towards professionals, potentially neglecting the homeowner's viewpoint.
- Greater inclusivity in decision-making processes is crucial for balanced and equitable governance.

Advice to Lawmakers:

- Encourage the formation of sub-committees including ordinary homeowners, especially those who have experienced conflicts with HOAs.
- Ensure diverse representation in HOA governance and Task Force meetings to reflect the community's full spectrum.

Blame Allocation:

- **HOA Boards & Task Force Composition:** For being predominantly comprised of professionals, possibly leading to a disconnect from the average homeowner's experiences and needs.

Story 55: “Thank You !!! Now What?”

“Thank You !!! Now What?”

Date: 26 Oct 2023

Written by: Unknown

Detailed Summary:

- The attendee appreciated the Task Force's review of submitted stories, indicating a sense of being heard.
- They highlighted Richard Brown's input on the management of Reserve and Operating Funds and the necessity for clear separation and better management models.
- The attendee expressed interest in better models for managing Reserve Funds and their studies.

Judgment:

- The active involvement of the Task Force in reviewing community stories is commendable, as it shows attention to homeowner concerns.
- The focus on financial management in HOAs, particularly regarding Reserve and Operating Funds, is crucial for the stability and transparency of these organizations.

Advice to Lawmakers:

- Explore and implement better financial management models for HOAs, especially for Reserve Funds.
- Ensure clear guidelines and accountability for the management of HOA funds.

Blame Allocation:

- **HOA Financial Management:** For potentially lacking clear and effective models to manage funds, leading to concerns from homeowners.

Story 56: “Enforcement CCIOA Needed”

[“Enforcement CCIOA Needed”](#)

Date: 25 Oct 2023

Written by: Unknown

Detailed Summary:

- The writer discusses the need for licensing property managers and a structured process for resolving HOA concerns.
- They suggest a multi-step process involving the HOA board, Colorado HOA Information and Resource Center, and DORA with retired judges for final decisions.
- Funding for DORA and enforcement mechanisms are proposed, including increased fees for HOAs and licensing fees for property managers.

Judgment:

- The proposal for a structured process and external oversight in HOA disputes indicates a need for more effective resolution mechanisms.
- Licensing property managers and increasing oversight could enhance accountability and professionalism in HOA management.

Advice to Lawmakers:

- Consider implementing a structured, multi-tiered approach for resolving HOA disputes.
- Explore the feasibility of licensing property managers and increasing funding for regulatory bodies like DORA.

Blame Allocation:

- **Current HOA Dispute Resolution Processes:** For potentially being inadequate in resolving disputes effectively.
- **Lack of Oversight & Professional Standards:** In the absence of licensing for property managers and structured enforcement mechanisms.

Story 57: “My Suggestions for the HOA Task Force”

[“My Suggestions for the HOA Task Force”](#)

Date: 25 Oct 2023

Written by: Homeowner

Detailed Summary:

- The attendee, with experience as a VP of an HOA Board, provided suggestions to the Task Force.
- They proposed a limited pilot approach to implement chosen methods, like arbitration under DORA, in two distinct geographic areas: one with frequent HOA issues and another with fewer issues.
- The goal is to understand contributing factors to HOA problems, such as the age of structures and various community challenges.
- The suggestion includes categorizing and ranking the top issues by count or severity.

Judgment:

- The proposal for a pilot approach is insightful, offering a practical way to assess the effectiveness of proposed solutions in different community settings.
- Categorizing and prioritizing issues based on severity or frequency could lead to more targeted and effective interventions.

Advice to Lawmakers:

- Consider pilot programs to test proposed HOA solutions in varied community settings.
- Develop methods to categorize and prioritize HOA issues for focused problem-solving.

Blame Allocation:

- **HOA Management Practices:** For potentially lacking effective models to address diverse community issues.
- **Regulatory Framework:** May need enhancement to accommodate varied HOA challenges effectively.

Story 58: “I Can't Sell My Home and We Are Facing Foreclosure”

[“I Can't Sell My Home and We Are Facing Foreclosure”](#)

Date: 24 Oct 2023

Written by: Homeowner

Detailed Summary:

- The homeowner faces foreclosure due to an unresolved HOA roof insurance claim affecting the sale of their property.
- The HOA's change from replacement to actual cash value coverage led to difficulties in closing a sale.
- A delay in issuing a "Loss Assessment Letter" from the HOA hinders the homeowner's ability to close on the sale and resolve financial difficulties.
- The situation is attributed to disputes between the HOA's insurance company and the roofing contractor, and poor communication and performance by the HOA.

Judgment:

- The HOA's handling of the insurance claim and the lack of timely communication significantly impact the homeowner's financial situation.
- The situation reflects a failure in the HOA's responsibility to effectively manage and communicate about common property issues.

Advice to Lawmakers:

- Implement legislative measures to ensure timely resolution of insurance claims and disputes in HOAs.
- Consider regulations to prevent HOAs from hindering property sales due to their internal management issues.

Blame Allocation:

- **HOA Board & Management Company:** For failing to manage the insurance claim efficiently and hindering the homeowner's ability to sell their property.
- **Insurance Process & Regulatory Framework:** For lacking mechanisms to expedite claim resolution and protect homeowners' interests in such situations.

Story 59: “HOA Abuses of Power”

[“HOA Abuses of Power”](#)

Date: 24 Oct 2023

Written by: Unknown

Detailed Summary:

- The story discusses the potential for tyrannical power in HOAs, lacking limitations such as due process and equal protection.
- Three main reasons for HOA power abuse are identified: protection of decision-makers through exculpatory provisions, the difficulty in proving arbitrary and capricious actions by HOAs, and the risk of homeowners bearing legal fees.
- The author suggests amendments to CCIOA to address these issues.

Judgment:

- The story points out significant concerns about the balance of power in HOAs and the protections afforded to board members.
- The need for more objective standards and fair legal processes in HOA governance is evident.

Advice to Lawmakers:

- Amend laws to remove exculpatory provisions protecting HOA board members from misconduct.
- Reform standards for homeowner legal actions against HOAs to an objective reasonableness test.
- Limit HOA recovery of legal fees to cases involving dues and assessments collection.

Blame Allocation:

- **HOA Governance & Legal Framework:** For allowing potential abuses of power and failing to provide adequate protections to homeowners.

Story 60: “HOA President”

“HOA President”

Date: 24 Oct 2023

Written by: Homeowner

Detailed Summary:

- The HOA president is accused of abusing her position for personal gain and violating fire safety laws.
- The president and other board members reportedly used communal facilities for personal storage and disregarded assigned parking rules.
- The homeowner describes personal harassment from the HOA president, including physical aggression and continual unwanted contact.

Judgment:

- The story illustrates a severe abuse of power by an HOA president, impacting the safety and well-being of residents.
- This behavior represents a breach of ethical standards and potentially legal obligations expected from HOA leadership.

Advice to Lawmakers:

- Enforce stricter ethical standards and legal accountability for HOA board members.
- Implement mechanisms for homeowners to report and address misconduct by HOA officials.

Blame Allocation:

- **HOA President & Board Members:** For misusing their positions for personal gain and violating community rules and safety regulations.
- **HOA Oversight Mechanisms:** For possibly lacking effective means to prevent and address such abuses of power.

Story 61: “CCIOA Lacks Specificity To Hold Non-Compliant Boards Accountable”

CCIOA Lacks Specificity To Hold Non-Compliant Boards Accountable”

Date: 24 Oct 2023

Written by: Unknown

Detailed Summary:

- The Colorado Common Interest Ownership Act (CCIOA) is criticized for lacking specificity, hindering homeowners' ability to use courts effectively against non-compliant HOA boards.
- Private litigation is deemed costly and largely unsuccessful due to CCIOA's vagueness and the Business Judgment Rule.
- A Colorado Supreme Court case, *Topakas v. Wintermoor*, is cited where it was argued that legislators intentionally omitted specific language in CCIOA, making it difficult to hold HOA boards accountable.
- The Business Judgment Rule allows HOA directors to claim ignorance as a defense. Courts have set a lower compliance standard for directors compared to homeowners.
- The contributor suggests that the legal system, influenced by the HOA industry's lobbying, is unfairly tilted against homeowners, leading to predatory behavior and lawlessness by HOA boards.

Judgment:

- The current legal framework, including CCIOA and the Business Judgment Rule, appears to provide inadequate mechanisms for holding HOA boards accountable, creating a power imbalance between boards and homeowners.
- The system's design seems to favor HOA boards, allowing them to evade responsibility through legal technicalities.

Advice to Lawmakers:

- Consider revising CCIOA to provide clear, specific guidelines that enable homeowners to hold HOA boards accountable.
- Reevaluate the Business Judgment Rule's application in HOA contexts to ensure fairer standards for both homeowners and board members.
- Explore alternative dispute resolution models, like those in Nevada, that don't rely solely on the courts and are more accessible to homeowners.

Blame Allocation:

- **HOA Legal Framework & CCIOA:** For lacking specificity and enabling HOA boards to evade accountability.
- **Legal System & HOA Lobbyists:** For creating and perpetuating a system that disadvantages homeowners in disputes with HOA boards.

Story 62: “Mayor Joy Cooper”

“Mayor Joy Cooper”

Date: 23 Oct 2023

Written by: Homeowner (Mayor Joy Cooper)

Detailed Summary:

- Mayor Joy Cooper, a condo owner in Winter Park, Colorado, and mayor of Hallandale Beach, Florida, shares her experience with condominium issues.
- She discusses the disparities in how maintenance and assessment costs are distributed in her condominium complex, leading to inequities.
- The current board president manipulated the assessment calculation process, resulting in unfair financial burdens on certain buildings.
- Mayor Cooper highlights conflicts of interest, such as the board president serving as the paid property manager and her husband chairing the finance committee.
- She suggests legislative changes to prevent such conflicts and calls for stricter laws on building inspections and permitting, citing safety issues and neglected maintenance in her complex.

Judgment:

- The story exposes significant governance issues in the condo complex, including manipulation of assessment calculations and conflicts of interest.
- Mayor Cooper's experience points to the need for stricter regulatory oversight and ethical standards in condo and HOA management.

Advice to Lawmakers:

- Implement legislation to prevent conflicts of interest in HOA and condo boards.
- Strengthen regulations on building inspections, permitting, and enforcement mechanisms to ensure property safety and proper maintenance.

Blame Allocation:

- **HOA Board & Management:** For manipulating assessment calculations and creating conflicts of interest.
- **Regulatory Oversight:** For potentially lacking in enforcing building safety and maintenance standards.

Story 63: “#banHOA fines”

[”#banHOA fines”](#)

Date: 23 Oct 2023

Written by: Unknown

Detailed Summary:

- The contributor advocates for banning non-judicial HOA fines, citing their disproportionate impact and lack of fairness.
- They argue that HOA corporations should follow the same legal process as homeowners, including filing lawsuits and proving cases in court.
- The contributor recounts their unsuccessful attempt to propose a resolution to ban HOA fines in Boulder County, meeting resistance from local political leaders and HOA proponents.
- The response from political figures suggests a reluctance to challenge the status quo of HOA powers, particularly regarding the imposition of fines.

Judgment:

- The narrative suggests an imbalance of power in favor of HOAs, allowing them to impose fines without adequate legal oversight or homeowner recourse.
- The resistance to change underscores a broader issue of governance and homeowner rights within HOA communities.

Advice to Lawmakers:

- Reconsider the statutory power of HOAs to impose non-judicial fines and establish a more equitable legal process for rule enforcement.
- Explore legislative measures to balance the enforcement capabilities of HOAs with the rights and protections of homeowners.

Blame Allocation:

- **HOA Governance & Legal Framework:** For granting excessive non-judicial fining powers to HOAs without adequate checks and balances.
- **Political Resistance & Status Quo:** For maintaining the current power dynamics in HOA governance, potentially at the expense of homeowner rights.

Story 64: “Right To Own”

“Right To Own”

Date: 23 October 2023

Written by: Homeowner

Detailed Summary:

- Liam proposes a bill titled "The Right-To-Own Your Own Home Act" to provide a pathway for detached homes to exit HOAs and the Colorado Common Interest Ownership Act (CCIOA).
- The proposed bill includes provisions prohibiting mandatory HOA membership and associated payments, voiding agreements that violate homeowners' rights, and establishing penalties and civil remedies for violations.
- The bill language mirrors the "Right to Work" bills, but focuses on outlawing mandatory HOA membership as a condition of home ownership.

Judgment:

- The proposal emphasizes the need for homeowner autonomy and seeks to eliminate mandatory HOA membership, which may be seen as an infringement on property rights.
- The bill reflects a significant shift toward enhancing individual homeowner rights over collective HOA governance.

Advice to Lawmakers:

- Consider legislative measures to provide homeowners, especially in single-family detached homes, with options to opt out of HOA memberships.
- Evaluate the impact of such legislation on existing HOA structures and community governance.

Blame Allocation:

- **HOA Structures & CCIOA:** For possibly imposing mandatory memberships and fees that restrict homeowner autonomy.

Story 65: “Iron Horse”

[“Iron Horse”](#)

Date: 23 Oct 2023

Written by: Homeowner

Detailed Summary:

- The owner describes experiencing a hostile environment at Iron Horse Condominium, largely due to the actions of the board president.
- The president is accused of misusing her position to impose fines and enforce selective rules.
- There are allegations of conflicts of interest, as the president is employed by the management company hired by the board.
- The owner details various instances of unfair treatment and neglect of maintenance in certain buildings.
- The situation escalated to multiple lawsuits due to the board's arbitrary and retaliatory conduct.

Judgment:

- This story highlights severe governance issues, including abuse of power, conflicts of interest, and neglect of property maintenance.
- The actions of the board president and directors reflect a failure in ethical standards and equitable treatment of homeowners.

Advice to Lawmakers:

- Enforce stricter standards for HOA board conduct and conflicts of interest.
- Establish mechanisms for transparent and fair enforcement of community rules and maintenance responsibilities.

Blame Allocation:

- **HOA President & Board:** For alleged abuse of power, conflicts of interest, and neglecting the maintenance of certain properties.
- **HOA Governance & Oversight:** For potentially lacking effective mechanisms to address such issues.

Story 66: “Reasonable Accommodations”

“Reasonable Accommodations”

Date: 23 Oct 2023

Written by: Homeowner

Detailed Summary:

- The author, a disabled veteran, sought reasonable accommodations to make their home accessible, but the HOA denied the request.
- The HOA's refusal contradicted its allowance for board members to modify their properties, suggesting discriminatory practices.
- The author emphasizes the need for HOA Board Members and Managers to receive training on reasonable accommodations and avoid self-serving approvals.

Judgment:

- The HOA's denial of reasonable accommodation, contrasted with allowances for board members, indicates discriminatory practices.
- The author calls for legislative changes to hold HOAs accountable for ADA and housing violations.

Advice to Lawmakers:

- Mandate training for HOA board members and managers on reasonable accommodations and ADA compliance.
- Implement regulations to prevent discriminatory practices in HOAs and ensure fair treatment for all residents.

Blame Allocation:

- **HOA Board & Management:** For discriminatory practices and denying reasonable accommodations, contrary to ADA guidelines.
- **Regulatory Framework:** For potentially lacking sufficient enforcement mechanisms to ensure ADA compliance in HOAs.

Story 67: “Provide a Pathway for Single Family, Detached Homes to Exit HOAs and Colorado Common Interest Ownership Act”

[“Provide a pathway for single family, detached homes to exit HOAs and Colorado Common Interest Ownership Act - Engage DORA”](#)

Date: 23 Oct 2023

Written by: Homeowner

Detailed Summary:

- The contributor argues that single-family detached homes don't need HOA structures and community rules like common-walled or shared-driveway properties.
- They assert that HOAs do not necessarily protect the value of single-family homes, citing real estate trends in specific Denver and Boulder areas.
- A legislative proposal is suggested to allow homeowners to opt out of HOAs and CCIOA after a certain period or upon annexation into a city or town, with a recurring vote every five years.
- The contributor also proposes transferring common property ownership from HOAs to entities like LLCs.

Judgment:

- The story raises questions about the necessity and efficacy of HOAs for single-family detached homes and suggests alternatives for homeowner autonomy.
- The proposal seeks to give homeowners more control over their properties and community involvement, challenging the traditional HOA model.

Advice to Lawmakers:

- Consider legislative changes to allow single-family detached homes to opt out of HOAs.
- Explore alternative models for managing common properties in residential communities.

Blame Allocation:

- **HOA Structures & CCIOA:** For potentially imposing unnecessary restrictions on single-family detached homes.
- **Legislative Framework:** For lacking provisions that allow homeowners greater autonomy in choosing their association with HOAs.

Story 68: “Overcharging Dues”

“Overcharging Dues”

Date: 23 Oct 2023

Written by: Homeowner

Detailed Summary:

- The resident recounts how their HOA dues have steadily increased over the years, creating financial strain, especially after falling behind due to COVID-19.
- They describe a situation where their HOA denied a claim for pest control, despite ongoing dues payments and financial challenges.
- The resident observes a lack of amenities and mismanagement in their HOA, questioning the justification for high dues.
- They express concern about the broader impact of HOAs on affordability and suggest that dues should be limited based on the number of units and available amenities.

Judgment:

- This story highlights issues of financial burden and perceived overcharging by HOAs, coupled with inadequate services and amenities.
- The resident's experience points to a need for greater oversight and fairness in how HOAs manage and justify dues.

Advice to Lawmakers:

- Implement regulations to cap HOA dues based on the number of units and amenities provided.
- Ensure transparency and accountability in HOA financial management to prevent overcharging and misallocation of funds.

Blame Allocation:

- **HOA Management & Board:** For increasing dues without adequate justification and failing to provide necessary services.
- **Regulatory Oversight:** For potentially lacking effective mechanisms to regulate HOA dues and financial management practices.

Story 69: “Please Examine Abusive Practices in HOAs and Evaluate Causes”

[“Please Examine Abusive Practices in HOAs and Evaluate Causes”](#)

Date: 22 Oct 2023

Written by: Homeowner

Detailed Summary:

- The contributor highlights several issues faced by homeowners, including unfair treatment by HOA Boards, difficulty obtaining necessary documentation, and intimidation by HOA attorneys.
- The story questions the power dynamics in HOAs that enable a group of decision-makers to harm others and the lack of oversight leading to corruption.
- The contributor also notes that HOAs are becoming unaffordable and often transfer infrastructure costs to homeowners, resembling private country clubs.

Judgment:

- The narrative suggests systemic issues in HOA governance, including power imbalances and lack of transparency.
- The contributor raises concerns about the increasing financial burden on homeowners due to HOA practices.

Advice to Lawmakers:

- Investigate the causes of abusive practices in HOAs and implement measures to balance power dynamics.
- Ensure transparency in HOA decision-making and financial management.

Blame Allocation:

- **HOA Boards & Legal Framework:** For potentially enabling abusive practices and failing to uphold fair governance.
- **State and Municipal Coordination:** For possibly neglecting proper oversight of HOA practices and development impacts.

Story 70: “Make HOA Board Meetings Public and Meeting Minutes Available”

[“Make HOA Board Meetings Public and Meeting Minutes Available”](#)

Date: 22 Oct 2023

Written by: Homeowner

Detailed Summary:

- The contributor shares their experience of being illegally fined by their HOA for landscaping changes approved by the Design Review Committee.
- The HOA's actions are described as intimidation tactics, lacking transparency and accountability.
- The contributor advocates for making HOA board and committee meetings public and ensuring detailed meeting minutes are available to all homeowners.

Judgment:

- This story highlights issues of transparency and accountability within the HOA's governance.
- The lack of public access to meetings and documentation raises concerns about fairness in decision-making processes.

Advice to Lawmakers:

- Mandate public access to HOA board meetings and require detailed recording of meeting minutes.
- Implement regulations to ensure transparency and accountability in HOA decision-making.

Blame Allocation:

- **HOA Board & Committees:** For lacking transparency and potentially engaging in unfair or intimidating practices.
- **HOA Governance & Oversight:** For possibly lacking mechanisms to ensure accountability and homeowner participation in decision-making processes.

Story 71: “Recommendations for HOA Rules”

[“Recommendations for HOA Rules”](#)

Date: 21 Oct 2023

Written by: Homeowner

Detailed Summary:

- The contributor, an HOA resident and past board member, suggests establishing a "reasonableness" standard to limit HOA fines.
- They propose that collection procedures for unpaid fines should align with general debt collection practices and be secured by a lien on the property, opposing HOA power to foreclose solely for unpaid fines.
- They recommend authorizing electronic communication for administrative efficiency and developing a template for financial reporting, separating operating and capital expenses.

Judgment:

- The recommendations focus on fair and transparent financial practices, aiming to protect homeowners from excessive fines and foreclosure risks.
- The proposal seeks to improve communication and financial clarity within HOAs.

Advice to Lawmakers:

- Consider legislation to regulate HOA fine assessments, collection procedures, and foreclosure rights.
- Mandate standardized financial reporting formats for HOAs to enhance transparency and accountability.

Blame Allocation:

- **HOA Governance & Financial Practices:** For potentially engaging in unfair fine assessments and opaque financial management.
- **Legislative Framework:** For possibly lacking adequate regulations to ensure fair and transparent HOA practices.

Story 72: “Dealing with a Homeowner Who Refuses to Comply with Covenants”

[“Dealing with a Homeowner Who Refuses to Comply with Covenants”](#)

Date: 21 Oct 2023

Written by: Homeowner

Detailed Summary:

- An HOA with 100 single homes faces a challenge with a homeowner who refuses to correct a landscape light violation, despite accumulating the maximum fine under law 22-1137.
- The HOA seeks a solution that avoids court action, which they believe would harm the community's "good neighbor" relationship.

Judgment:

- This situation illustrates the limitations of HOA enforcement mechanisms, especially when legal actions like foreclosure are removed or deemed excessive.

Advice to Lawmakers:

- Explore alternative dispute resolution methods for HOAs to handle minor violations without resorting to extreme measures like court action or foreclosure.
- Consider introducing graduated enforcement mechanisms that encourage compliance while maintaining community harmony.

Blame Allocation:

- **Homeowner:** For non-compliance with community covenants despite fines.
- **HOA Enforcement Mechanisms:** For potentially lacking effective, non-disruptive methods to ensure covenant compliance.

Story 73: “HOA/Custom Management Group Troubles”

[“HOA/Custom Management Group Troubles”](#)

Date: 20 Oct 2023

Written by: Homeowner

Detailed Summary:

- The condominium owner in Aurora experienced water damage due to a leak from a common drain line.
- The HOA board and management company repaired the leak but did not replace the damaged exterior siding and roof.
- The neglect of these repairs has led to mold issues, affecting the value and habitability of the property.

Judgment:

- The failure of the board and management company to address exterior damages indicates a neglect of their responsibilities to maintain common areas.

Advice to Lawmakers:

- Implement stricter guidelines and accountability measures for HOA boards and management companies in addressing property damages and maintaining common areas.

Blame Allocation:

- **HOA Board & Management Company:** For neglecting necessary repairs and maintenance, leading to further property damage and resident health concerns.

Story 74: “Artificial Grass Still Being Denied”

[“Artificial Grass Still Being Denied”](#)

Date: 19 Oct 2023

Written by: Homeowner

Detailed Summary:

- The resident's request to install artificial grass was denied by their HOA, despite Colorado law not explicitly prohibiting such installations in certain areas.
- The HOA's refusal is based on ambiguous terms regarding the location of the installation, leading to a difference of opinion on what constitutes the "rear" of the property.

Judgment:

- The denial highlights issues with vague covenant terms and the HOA's discretionary power in interpreting them.

Advice to Lawmakers:

- Clarify state laws and HOA covenants regarding property modifications to reduce ambiguity and ensure fair application.
- Consider homeowner rights to make environmentally friendly and practical modifications to their property.

Blame Allocation:

- **HOA Decision-Making Process:** For potentially misinterpreting or overextending covenant restrictions, leading to unfair denials of property modifications.

Story 75: “HOA Lifecycle: Permanently Shifting the Control from the Board to the Homeowners”

[“HOA Lifecycle: Permanently Shifting the Control from the Board to the Homeowners”](#)

Date: 13 Oct 2023

Written by: Homeowner

Detailed Summary:

- This white paper outlines a three-stage lifecycle of Home Owners Associations (HOAs): Developer, Transition, and Maturity.
- In the Developer Stage, the developer controls the HOA Board and Documents, with buyers accepting the terms before purchase.
- The Transition Stage sees control shifting to property purchasers, focusing on maintaining community property and compatible development.
- The Maturity Stage signifies complete development, where the HOA Board's focus is maintaining community property, and individual properties should be free from HOA interference.
- The paper suggests legal changes, including automatic removal of certain property restrictions, limitations on HOA fines and penalties, enhanced property owner voting rights, and easier HOA Board removal processes.

Judgment:

- The proposal advocates for a progressive shift in HOA control, eventually maximizing homeowner autonomy and limiting HOA interference in personal property matters.

Advice to Lawmakers:

- Consider the proposed framework for modifying HOA structures to enhance homeowner rights and reduce long-term HOA interference in property matters.

Blame Allocation:

- **Current HOA Structure & Legal Framework:** For potentially restricting homeowner autonomy and perpetuating unnecessary HOA interference in individual property decisions.

Story 76: “Life Plan Derailed for Years”

[“Life Plan Derailed for Years”](#)

Date: 13 Oct 2023

Written by: Homeowner

Detailed Summary:

- The contributor recounts their prolonged struggle with their HOA while attempting to build a house on a vacant lot they own.
- They initially sought to clarify building rules and confirm site plans with the HOA but faced delays and unresponsiveness from the board and property manager.
- The HOA changed building height rules retroactively, affecting the contributor's plans and requiring them to seek a variance.
- The HOA's inconsistent and shifting requirements, including view analyses and building location, led to significant delays and legal challenges.
- Attempts to participate in HOA governance were stonewalled, and numerous requests for information under CCIOA were refused or ignored.
- The ongoing conflict has caused considerable personal and financial distress, disrupting the contributor's life plans and leading to litigation against the HOA.

Judgment:

- This story highlights the difficulties homeowners can face when dealing with uncooperative and inconsistent HOA boards, particularly regarding property development and governance participation.
- **Inequitable Treatment:** The HOA's actions suggest a pattern of inequitable treatment towards the contributor, potentially indicative of personal bias or conflict of interest within the board.
- **Abuse of Power:** The HOA's manipulation of rules and refusal to acknowledge previously agreed terms point to an abuse of power and authority.
-

Advice to Lawmakers:

- Strengthen enforcement of homeowner rights in HOA disputes, especially in building and development matters.
- Ensure HOAs adhere to their own rules and provide transparency in decision-making processes.
- Consider implementing measures to hold HOAs accountable for non-compliance with state laws like CCIOA.

Blame Allocation:

- **HOA Board & Property Management:** For failing to follow established rules, providing inconsistent information, and denying homeowner participation in governance.
- **State Oversight:** For potentially not providing adequate recourse for homeowners facing unreasonable HOA actions.
- **Legal and Regulatory Gaps:** There may be inadequacies in the legal and regulatory framework that fail to protect homeowners from capricious or arbitrary actions by HOA boards.
- **Lack of Effective Dispute Resolution:** The absence of a cost-effective and efficient dispute resolution mechanism for homeowners to address grievances with their HOA.

Story 77: “HOA Board Violates Policies”

[“HOA Board Violates Policies”](#)

Date: 09 Oct 2023

Written by: Homeowner

Summary:

- The owner recounts a dispute with their HOA Board over an improperly conducted board member recall election, violating HOA by-laws and CRS election procedures.
- The owner's cease and desist letter was ignored, and their attempts to enforce fair election practices were unsuccessful.
- They highlight a lack of state government accountability for HOA conduct, with no agency responsible for ensuring proper HOA operation.

Judgments:

- **Failure of Governance:** The HOA Board's disregard for their own by-laws and election procedures reflects a failure in governance and respect for democratic processes.
- **Lack of Recourse:** The homeowner's inability to find a remedy for the Board's actions underscores a systemic lack of recourse for addressing HOA mismanagement.

Advice to Lawmakers:

- Establish a regulatory body or extend the powers of an existing agency to oversee HOA operations and ensure compliance with by-laws and election procedures.
- Create clearer pathways for homeowners to seek redress for HOA mismanagement, including mechanisms to address election irregularities and governance failures.
- Consider implementing stricter penalties for HOAs that violate state laws or their own governing documents to deter misconduct and uphold the integrity of HOA governance.

Blame Allocation:

- **State Regulatory Bodies:** For the absence of a regulatory body to hold HOAs accountable, leaving homeowners without effective means to address governance issues.

Story 78: “Amateur Hour and Power Struggles Abound in HOAs”

[“Amateur Hour and Power Struggles Abound in HOAs”](#)

Date: 08 Oct 2023

Written by: Unknown

Summary:

- The contributor expresses concern about various problems within HOAs, including the role of HOA attorneys, financial transparency, and election processes.
- They suggest that HOA attorneys often exacerbate conflicts and act as debt collectors, pushing for foreclosure as a means of fee collection.
- The contributor calls for open financial disclosures, fair election practices, and proper homeowner representation in HOA decisions.

Judgments:

- **Conflict of Interest:** The involvement of HOA attorneys in both rulemaking and enforcement may create conflicts of interest and exacerbate power struggles.
- **Transparency and Representation Issues:** The lack of financial transparency and fair election processes indicates a need for more accountable and representative HOA governance.

Advice to Lawmakers:

- Implement regulations to limit the role of HOA attorneys in decision-making processes, especially where there could be a conflict of interest.
- Enforce mandatory transparency in financial dealings and decision-making processes within HOAs.
- Require HOAs to have open and fair election practices, ensuring proper representation and participation of all homeowners.
- Establish guidelines to prevent HOAs and their attorneys from using foreclosure disproportionately as a debt collection method.
- Consider creating an oversight body or mechanisms to monitor and address issues of governance, financial management, and conflict resolution in HOAs.

Blame Allocation:

- **HOA Attorneys & Board Members:** For potentially prioritizing their interests over those of the broader community, leading to mismanagement and conflict.
- **Oversight Mechanisms:** For possibly being insufficient to ensure fair and transparent HOA operations.

Story 79: “Potential Homeowners Should Have to Sign the House Rules That They Understand and Will Abide by Them”

[“Potential Homeowners Should Have to Sign the House Rules That They Understand and Will Abide by Them”](#)

Date: 07 Oct 2023

Written by: Homeowner

Detailed Summary:

- The contributor, with experience owning condos in different states, suggests that potential homeowners should sign an acknowledgment of understanding and agreeing to abide by the house rules before closing.
- They highlight how this approach can minimize future disputes over rules and foster a sense of community.
- The contributor also emphasizes the benefits of utilizing the diverse experiences of community members in HOA management and projects.

Judgment:

- The proposal aims to enhance community harmony and rule adherence by ensuring homeowners are aware of and agree to abide by HOA rules from the outset.
- It also suggests leveraging the skills and experiences of community members for HOA initiatives.

Advice to Lawmakers:

- Consider legislation that mandates potential homeowners to acknowledge and agree to HOA rules before property purchase.
- Encourage HOAs to actively involve community members in governance and project committees.

Blame Allocation:

- **Homeowners & HOA Boards:** For potential misunderstandings and conflicts arising from a lack of clarity or agreement on HOA rules.

Story 80: “Nonresident Owners Rights”

[“Nonresident Owners Rights”](#)

Date: 07 Oct 2023

Written by: Homeowner

Detailed Summary:

- The contributor discusses the rights of nonresident owners in an HOA, sharing insights from their experience with a condo in Florida.
- They explain rental restrictions and how certain rights, like access to common areas, are transferred to tenants during rental periods.
- The story touches on the complexities of balancing the rights of nonresident owners with those of tenants and resident owners in shared communities.

Judgment:

- The contributor's experience highlights the need for clear guidelines and fair practices in managing the rights of nonresident owners, especially in rental situations.

Advice to Lawmakers:

- Develop regulations that address the unique challenges faced by nonresident owners in HOAs, particularly regarding rental policies and the use of common areas.
- Ensure a fair balance of rights between nonresident owners, tenants, and resident homeowners.

Blame Allocation:

- **HOA Governance & Policies:** For potential imbalances in policy-making that may disproportionately affect nonresident owners.

Story 81: “H.O.A. Members Are Not Neighbors”

“H.O.A. Members Are Not Neighbors”

Date: 07 Oct 2023

Written by: Unknown

Detailed Summary:

- The contributor challenges the notion that all HOA members are neighbors, particularly in condominium associations with many non-resident investor owners.
- They point out that the interests of non-resident owners, such as investors and corporate entities, often do not align with those of resident owners.
- Examples include different perspectives on HOA fees, control of the HOA board by investor groups, and the difficulty in organizing collective action among residents.

Judgment:

- The contributor's observations highlight the complexity of community dynamics in HOAs, especially where investor interests can dominate.
- The story underscores the need for a balanced approach in HOA governance that equally represents both resident and non-resident owners.

Advice to Lawmakers:

- Consider legislation to ensure fair representation of both resident and non-resident owners in HOA governance.
- Explore restrictions on non-resident owners serving as directors and officers of HOAs to prioritize community-focused decision-making.

Blame Allocation:

- **Investor-Dominated HOA Boards:** For potentially prioritizing financial interests over community well-being.
- **HOA Governance Structures:** For not adequately addressing the conflict between resident and non-resident owners' interests.

Story 82: “Who Are The Stakeholders?”

“Who Are The Stakeholders?”

Date: 07 Oct 2023

Written by: Unknown

Detailed Summary:

- The contributor criticizes the composition of the "H.O.A. Homeowners Rights Task Force," arguing it's dominated by parties like HOA managers, attorneys, and developers, who homeowners need protection from.
- They express concern that the real stakeholders, the homeowners, are underrepresented in the policy-making process.
- The contributor asserts that state agencies should act unequivocally in the best interests of homeowners, not behind closed doors with trade groups lobbying for those profiting from associations.

Judgment:

- The story reflects concerns about the skewed representation in HOA policy-making, favoring commercial entities over actual homeowners.
- It highlights a perceived conflict of interest and lack of effective homeowner representation in decision-making bodies.

Advice to Lawmakers:

- Reevaluate the stakeholder representation in HOA policy-making to ensure a fair and balanced perspective that prioritizes homeowners' interests.
- Implement measures to increase transparency and homeowner involvement in the legislative process concerning HOA governance.

Blame Allocation:

- **HOA Policy-Making Bodies & State Agencies:** For potentially allowing disproportionate influence of commercial interests over homeowner rights.
- **Lack of Homeowner Representation:** For not adequately including homeowners in discussions and decisions that directly affect their living conditions and financial obligations.

Attachments

[Gov. Polis Executive Order D 2019 006](#) [DORA – 2019 report concerning D2019 006](#)

Gary Helfeldt, [written testimony regarding Colorado House Bill HB23-1105\(External link\)](#), H.O.A. Homeowners Rights Task Farce”, February 16 2023

[Stakeholder Process to Examine Community and Homeowner Associations | Department of Regulatory Agencies Stakeholder Survey Results](#)

- [Open Responses # 1\(External link\)](#) (Received through July 31, 2019)
- [Open Responses # 2\(External link\)](#) (Received through August 30, 2019)
- [Open Responses # 3\(External link\)](#) (Received through September 30, 2019)
- [Open Responses # 4\(External link\)](#) (Received through October 31, 2019)

[Rutgers Journal of Law & Public Policy](#) [Rutgers University Journal of Law & Public Policy](#)
[Rutgers – Homeowners Association Search](#)

Story 83: "Mary"

["Mary"](#)

Date: 07 Oct 2023

Written by: Homeowner

Detailed Summary:

- The HOA in question dates back to the 1960s-1970s, with a long history of inadequate maintenance funds.
- Significant assessments were initiated about 8 years ago, specifically for roof repairs, causing dissatisfaction among homeowners.
- New buyers, attracted by lower prices compared to newer developments, are now expressing concerns over high HOA fees.
- The HOA struggles with funding for necessary upgrades, including fencing, roofing, asphalt driveways, pool, and landscaping maintenance.
- The writer suggests real estate companies should inform potential buyers about HOA rules and the associated costs of maintaining older structures.
- Difficulty in retaining board members is noted, attributed to their frustration over constant questioning and blame for rising expenses.

Judgment:

- The HOA's long-term failure to set aside adequate maintenance funds has culminated in a challenging financial situation, impacting both long-term residents and new homeowners.
- The lack of transparency and foresight in financial planning has led to a cycle of dissatisfaction and financial burden among the community members.

Advice to Lawmakers:

- Implement regulations ensuring that HOAs maintain a transparent and adequate reserve fund for maintenance and repairs.
- Mandate disclosure requirements for real estate transactions involving properties under HOAs, including detailed information on financial health and future anticipated costs.

Blame Allocation:

- **HOA & Board Members:** For not establishing a proper maintenance fund earlier and poor financial planning.
- **Real Estate Companies:** For not adequately informing buyers about the financial responsibilities associated with older HOA properties.
- **Homeowners:** Partial responsibility for not thoroughly investigating HOA financials and regulations before purchasing.

Story 84: "Best Community Financial Practices or Narrow Self Interests?"

["Best Community Financial Practices or Narrow Self Interests?"](#)

Date: 06 Oct 2023

Written by: Homeowner

Detailed Summary:

- The HOA, established in 1982, has conducted only two Reserve Fund Studies, each indicating the fund is only 17% sufficient, risking Special Assessments.
- In 13 of the past 15 years, no increases in HOA fees were implemented despite visible infrastructure deterioration and poor repair decisions, such as roofing replacements without updating draining systems.
- The HOA utilized Reserve Funds for immediate repairs after three fires over two years, some of which were owners' responsibilities, leading to financial strain while recouping funds from insurance and owners.
- To stabilize finances, the Board secured a \$2.4 million loan, eliminated the live-in groundskeeper position, sold the HOA-owned housing unit, and allocated 23% of income to debt management.
- Concerns over the exclusivity of financial decision-making by 3 of the 5 board members, especially regarding significant decisions like the \$2.4 million loan.

Judgment:

- The HOA's financial mismanagement and lack of proactive planning have led to a precarious financial situation, forcing drastic measures like loans and service cuts.
- The board's decision-making process appears to lack transparency and broader community involvement, leading to distrust and financial instability.

Advice to Lawmakers:

- Enforce regular and transparent Reserve Fund Studies to ensure HOAs are adequately prepared for future expenses.
- Establish guidelines for inclusive and transparent decision-making processes in HOAs, especially for significant financial decisions.

Blame Allocation:

- **HOA Board of Directors:** For inadequate financial planning, lack of transparency, and poor decision-making.
- **Homeowners:** Partial responsibility for not demanding greater financial accountability and oversight.

Story 85: "HOA's Able to Skirt ADA Compliance"

["HOA's Able to Skirt ADA Compliance"](#)

Date: 06 Oct 2023

Written by: Homeowner

Detailed Summary:

- The HOA board in a 55+ community is avoiding ADA compliance, claiming exemption for areas designated "for residents only."
- Despite 30 years since the ADA's enactment, the board refuses to provide reasonable accommodations for disabled individuals in these areas.

Judgment:

- The HOA board's actions represent a clear neglect of ADA requirements and a failure to ensure accessibility for all residents, particularly those with disabilities.

Advice to Lawmakers:

- Close loopholes that allow HOAs to evade ADA compliance in resident-only areas.
- Mandate ADA compliance in all areas of housing and common spaces within HOA communities, ensuring accessibility for all residents.

Blame Allocation:

- **HOA Board:** For deliberately skirting ADA compliance and failing to provide necessary accommodations for disabled residents.

Story 86: "HOA Board of Managers Fails to Comply With Governing Documents"

["HOA Board of Managers Fails to Comply With Governing Documents"](#)

Date: 04 Oct 2023

Written by Homeowner

Detailed Summary:

- The HOA Board of Managers canceled the Annual Members Meeting, contravening the Association Bylaws, which specify the date and location.
- They denied the use of proxies, set a new meeting date months later, and planned to hold it via Zoom, despite bylaws requiring in-person attendance.
- Members are not allowed to recommend changes to the bylaws from the floor during meetings.
- Proper voter validation procedures for the meeting were not established.
- The only recourse for members appears to be legal action to enforce compliance with governing documents.
- The writer suggests empowering DORA (Department of Regulatory Agencies) to investigate HOA complaints and enforce compliance with governing documents.

Judgment:

- The Board's actions reflect a disregard for established governing documents, undermining member rights and democratic processes within the HOA.
- The lack of adherence to bylaws raises significant concerns about transparency and accountability in the HOA's management.

Advice to Lawmakers:

- Strengthen enforcement mechanisms for HOA compliance with their governing documents.
- Consider granting regulatory bodies like DORA more authority to intervene in cases of governance violations by HOA boards.

Blame Allocation:

- **HOA Board of Managers:** For failing to adhere to the governing documents and restricting member participation in decision-making processes.

Story 87: "Flooding for the Past Several Years"

["Flooding for the Past Several Years"](#)

Date: 03 Oct 2023

Written by: Homeowner

Detailed Summary:

- The homeowners moved into an HOA community in October 2022, unaware of ongoing flooding issues dating back to at least 2016.
- They experienced several instances of basement flooding, with significant water damage, including an event in June 2023.
- The HOA's response included setting up a dehumidifier but failed to provide a lasting solution or repair damages effectively.
- The previous HOA management was deemed negligent, leaving unresolved issues and minimal documentation.
- A new manager from the same company is trying to resolve the backlog but faces challenges due to the previous manager's incompetence.
- Homeowners expressed frustration with the HOA and management company's negligence in addressing flooding and maintenance issues.

Judgment:

- This situation highlights a severe failure in property maintenance and crisis response by the HOA and its management company.
- The ongoing flooding issues, coupled with poor management practices, have led to significant property damage and homeowner distress.

Advice to Lawmakers:

- Implement stricter regulations for HOA management companies, ensuring timely and effective maintenance and crisis response.
- Mandate HOAs to maintain thorough documentation of property issues and their resolutions to ensure accountability.

Blame Allocation:

- **HOA Management Company:** For prolonged negligence and failure to maintain the property effectively.
- **HOA Board:** For lack of oversight and timely action in addressing ongoing maintenance issues and ensuring competent management.

Story 88: "HOA Task Force Input"

["HOA Task Force Input"](#)

Date: 03 Oct 2023

Written by: Board Member

Detailed Summary:

- The writer, a secretary of a small self-managed HOA in Colorado Springs, raises concerns about legislation affecting all HOAs without considering the differences between them.
- They note that the Task Force, commissioned by HB 23-1105, may be relying on unsubstantiated complaints to generate its report and potential legislation.
- The writer emphasizes that while there are bad actors in the HOA world, not all HOAs should be painted with the same brush.

Judgment:

- The concern raised suggests a need for more nuanced legislation that recognizes the diversity of HOAs and doesn't burden well-functioning ones.
- The credibility of the data used by the Task Force is questioned, indicating a need for more thorough verification of complaints.

Advice to Lawmakers:

- Consider the diversity of HOAs in legislative efforts and avoid a one-size-fits-all approach.
- Ensure that the data and complaints used to inform legislation are credible and substantiated.

Blame Allocation:

- **Legislative Process:** For potentially over-generalizing the issues within HOAs and not distinguishing between well-functioning and problematic ones.

Story 89: "Legislative Overreach"

["Legislative Overreach"](#)

Date: 02 Oct 2023

Written by: Homeowner

Detailed Summary:

- The writer criticizes the Colorado Legislature for overregulating HOAs with recent laws, resulting in additional costs for HOAs.
- Their HOA incurred \$500 in attorney fees to ensure compliance with new laws, with an anticipation of further costs.
- The writer stresses that not all HOAs exploit their members and that their HOA board is committed to transparency and responsible governance.
- They suggest finding better solutions to target bad actors in the HOA world rather than blanket regulations that affect all HOAs.

Judgment:

- The concern highlights the issue of legislative overreach potentially imposing undue financial burdens on HOAs, especially those already functioning well.
- There's a need for more targeted legislative solutions that address specific problems without unfairly impacting all HOAs.

Advice to Lawmakers:

- Develop legislation that targets specific issues within HOAs without imposing broad regulations that penalize compliant and well-managed HOAs.
- Focus on creating mechanisms that specifically address the misconduct of 'bad actors' in the HOA industry.

Blame Allocation:

- **Colorado Legislature:** For potentially creating a regulatory environment that may be overly burdensome and not sufficiently targeted towards problematic HOAs.

Story 90: "Small HOA Strapped by HB22-1137"

["Small HOA Strapped by HB22-1137"](#)

Date: 30 Sep 2023

Written by: Board Member

Detailed Summary:

- A small HOA with \$25 annual dues and 146 homeowners faces difficulties in collecting past due assessments and noncompliance fines due to HB22-1137.
- The HOA, without common areas or maintenance responsibilities, focuses on compliance with covenants and architectural guidelines.
- HB22-1137 and prior HB13-1276 have made it challenging for the HOA to rewrite governing policies in a way that enables effective dues collection.
- Collection agencies require a minimum of \$300 in past due amounts, which takes years to accumulate at the HOA's current rate.
- New rules have increased the HOA's expenses for USPS mailings regarding dues and meetings, yet the small dues amount makes collection efforts impractical.

Judgment:

- The legislative changes have unintentionally strained the financial operations of small HOAs, demonstrating a lack of scalability in the laws.
- The situation reveals a potential oversight in legislation, failing to account for the unique challenges faced by small-scale HOAs.

Advice to Lawmakers:

- Reassess the impact of legislation like HB22-1137 on small HOAs and consider amendments that address their specific challenges.
- Provide alternative, cost-effective methods for small HOAs to enforce dues and fines collection.

Blame Allocation:

- **Legislative Framework:** For not adequately considering the unique needs and constraints of small HOAs in recent legal reforms.

Story 91: "HOA Members are Neighbors"

["HOA Members are Neighbors"](#)

Date: 30 Sep 2023

Written by: Unknown

Detailed Summary:

- The narrative addresses the dynamics within HOAs, reminding that all members are neighbors, with some individuals violating rules and others bearing the financial burden.
- Non-payment of assessments by some members imposes a financial strain on others who fulfill their obligations.
- The writer emphasizes that HOAs are communities, not corporations, and the collective responsibility of members.
- The suggestion is made that most HOAs should consider external management to ensure systems and safeguards, thus avoiding issues like theft.

Judgment:

- The story highlights the communal aspect of HOAs, where individual actions impact the entire community.
- It suggests a need for better governance structures within HOAs, potentially through professional management, to mitigate issues caused by self-governance.

Advice to Lawmakers:

- Consider policies that reinforce the community aspect of HOAs and ensure fair burden-sharing among members.
- Explore regulatory measures that encourage or facilitate professional management of HOAs for better governance and financial safeguards.

Blame Allocation:

- **Individual HOA Members:** For not adhering to communal responsibilities, leading to financial and governance challenges within the HOA.

Story 92: "Two Sides to the Coin"

["Two Sides to the Coin"](#)

Date: 30 Sep 2023

Written by: Unknown

Detailed Summary:

- The story highlights a common issue where homeowners, despite legally acknowledging HOA governing documents, often fail to read or remember the rules, leading to shock and dissatisfaction.
- The HRE HOA, with 55 homes, has guidelines covering various aspects of home and community maintenance, aiming to maintain community harmony without forced identity.
- The HOA board, which rarely rejects homeowner requests, is working to revise the guidelines to remove overly constraining rules set by the developer.
- Colorado law makes changing HOA covenants difficult, requiring a significant majority for amendments, which the writer finds onerous.
- The writer suggests that legislation affecting large HOAs like Green Valley Ranch may not be suitable for smaller HOAs like HRE.
- Concerns are raised about foreclosure policies, drawing parallels with government operations and suggesting equal treatment in handling excess funds from foreclosures.

Judgment:

- The narrative underscores the complexity of HOA management, balancing individual homeowner desires with community standards.
- The difficulty in amending HOA covenants reflects a need for more flexible legal frameworks to adapt to evolving community needs.

Advice to Lawmakers:

- Reevaluate regulations to provide a more flexible approach to HOA governance, allowing easier amendment of covenants.
- Ensure legislation is scalable and appropriate for HOAs of different sizes and structures.

Blame Allocation:

- **Homeowners:** For not adequately familiarizing themselves with HOA rules and regulations.
- **Legislative Process:** For potentially creating inflexible legal frameworks for HOAs.

Story 93: "Harassment"

"Harassment"

Date: 29 Sep 2023

Written by: Homeowner

Detailed Summary:

- The writer, a former board member, alleges harassment by current board members, including unfounded violation notices.
- Their personally maintained landscaping was destroyed under a board member's direction, despite enhancing the community.
- The board and property manager are accused of ignoring homeowners' emails and questions, indicating a lack of responsiveness and transparency.
- The writer expresses disappointment in DORA (Department of Regulatory Agencies), claiming it lacks authority to regulate or address such issues.

Judgment:

- The situation points to potential governance issues within the HOA, including misuse of power and lack of accountability.
- The lack of regulatory oversight or effective channels for addressing grievances exacerbates the problem.

Advice to Lawmakers:

- Strengthen oversight mechanisms and establish clear channels for addressing grievances and misconduct within HOAs.
- Enhance the regulatory authority of bodies like DORA to effectively intervene in cases of HOA mismanagement and harassment.

Blame Allocation:

- **HOA Board Members:** For alleged harassment and misuse of authority.
- **Regulatory Agencies:** For inadequate oversight and lack of effective intervention mechanisms.

Story 94: "Unauthorized Reserve Fund Transfers"

["Unauthorized Reserve Fund Transfers"](#)

Date: 29 Sep 2023

Written by: Homeowner

Detailed Summary:

- The HOA President is accused of transferring approximately \$97,000 from the Reserve to the Operating Account without board vote, approval, or community notification.
- These transfers, claimed to cover operating overages, mostly involved even dollar amounts.
- The board later voted to remove the "due to reserves" line item from the balance sheet, effectively erasing \$73,000 from the reserves.

Judgment:

- The actions of the HOA President raise serious concerns about financial mismanagement and lack of transparency.
- The removal of the line item from the balance sheet suggests an attempt to obscure these unauthorized transfers.

Advice to Lawmakers:

- Implement stricter regulations and oversight mechanisms for financial transactions within HOAs.
- Establish clear guidelines and consequences for unauthorized fund transfers to prevent such occurrences.

Blame Allocation:

- **HOA President:** For unauthorized fund transfers and lack of transparency.
- **HOA Board:** For failing to oversee and rectify the situation, thereby enabling financial mismanagement.

Story 95: "Issues with CCIOA Loopholes and Lack of Structure"

["Issues with CCIOA Loopholes and Lack of Structure"](#)

Date: 29 Sep 2023

Written by: Homeowner

Detailed Summary:

- The homeowner reviewed their HOA's governing documents before purchasing their home, which initially seemed reasonable.
- They express concern over the HOA Board's behavior, accusing them of prioritizing property over people and exhibiting authoritarian tendencies.
- The HOA is exempt from most Colorado Common Interest Ownership Act (CCIOA) provisions due to its status as a small/limited expense community.
- This exemption allows the Board to disregard many homeowner rights protections under Colorado law.
- The homeowner suggests legislative changes to ensure that newer homeowner protection laws apply to all HOAs, including those currently exempt.
- They advocate for limiting HOA authority to shared/common assets, increasing regulatory structures, and providing training and accountability for board members.

Judgment:

- The situation reveals a significant loophole in the CCIOA, allowing smaller HOAs to circumvent homeowner protections.
- The Board's conduct raises concerns about abuse of power and lack of oversight in smaller HOAs.

Advice to Lawmakers:

- Amend the CCIOA to include smaller HOAs in homeowner protection provisions.
- Introduce mandatory training and accountability measures for HOA board members.
- Establish regulatory bodies with the power to investigate complaints and enforce consequences for HOA misconduct.

Blame Allocation:

- **HOA Board Members:** For potentially abusing their exemption from CCIOA and disregarding homeowner rights.
- **Legislative Framework:** For creating loopholes that allow smaller HOAs to operate without sufficient homeowner protections.

Story 96: "A Little Help Here!"

["A Little Help Here!"](#)

Date: 25 Sep 2023

Written by: Board Member

Detailed Summary:

- The author joined their HOA board to advocate for all owners but encountered issues including past board member theft and preferential treatment.
- At a recent annual meeting, the board expanded from one to six members amid property management changes and a hail damage claim.
- The board's handling of contractor proposals for roof repairs and siding was questionable, including a lack of transparency and seemingly biased decision-making.
- The writer objected to specific proposal items and suggested getting multiple contractor bids but faced resistance and procedural irregularities.
- Despite objections, the writer's votes were counted in favor of proposals they disagreed with.
- The writer expresses frustration with the lack of access to proposal details, convoluted contractual terms, and apparent legal loopholes exploited by the HOA.

Judgment:

- The narrative indicates serious governance issues within the HOA, including mismanagement, lack of transparency, and potential conflicts of interest.
- The author's experience reflects a failure in adhering to fair and democratic processes in decision-making within the HOA.

Advice to Lawmakers:

- Implement stricter regulations to ensure transparency and fair processes in HOA decision-making.
- Establish mechanisms to handle conflicts of interest and provide clear guidelines for proposal evaluations and voting procedures in HOAs.

Blame Allocation:

- **HOA Board Members:** For lack of transparency, potential bias in handling contractor proposals, and failing to adhere to fair voting procedures.
- **Legal and Regulatory Framework:** For allowing loopholes that enable such governance issues in HOAs.

Story 97: "HOA are Necessary but Need to Include the Community"

["HOA are Necessary but Need to Include the Community"](#)

Date: 22 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident acknowledges the necessity of an HOA for maintaining common areas but raises concerns about underhanded practices and fund mismanagement.
- They experienced issues with roof maintenance, snow removal, and unclear processes for Architectural Review Committee (ARC) requests.
- The HOA decided that homeowners must carry H03 or H05 policies, yet HOA fees might increase despite reduced costs and redundancy in services.
- Meetings are poorly managed, with incorrect Zoom IDs preventing homeowner participation and essential communication being obstructed.
- Recent events revealed misleading insurance requirements and poor handling of resident concerns, indicating governance issues.

Judgment:

- The story highlights significant governance and communication issues within the HOA, including mismanagement of funds and failure to adequately address resident concerns.
- The lack of transparency and fair processes in HOA decision-making is a major concern.

Advice to Lawmakers:

- Introduce regulations ensuring transparency in HOA financial management and decision-making processes.
- Mandate clear communication channels between HOAs and residents, including fair and accessible meeting protocols.

Blame Allocation:

- **HOA Board:** For potential mismanagement, lack of transparency, and failure to effectively communicate and respond to residents' concerns.

Story 98: "Testify Before the HOA Rights Task Force"

["Testify Before the HOA Rights Task Force"](#)

Date: 18 Sep 2023

Written by: Unknown

Detailed Summary:

- The writer presents a white paper discussing a three-stage lifecycle framework for Homeowners Associations (HOAs): Developer, Transition, and Maturity.
- **Developer Stage:** In this initial phase, the developer has total control over the property, setting the terms and conditions for development, and creating the initial HOA board and documents.
- **Transition Stage:** Control shifts from the developer to property owners once most properties are sold. The transitional HOA board's role is limited to maintaining community property and ensuring compatibility with the original HOA documents.
- **Maturity Stage:** The final stage where the development is complete, and the HOA board's focus shifts solely to maintaining community property. Individual property rights are emphasized.
- The writer suggests legal reforms, including automatic removal of restrictions after certain conditions, limitations on HOA's power to levy fines and enforce liens, and specific voting rights for property owners.

Judgment:

- The white paper outlines a structured approach to HOA governance, emphasizing the evolution of control and responsibilities across different stages of an HOA's lifecycle.
- Proposed legal reforms aim to balance the rights of individual property owners with the responsibilities of HOA boards, suggesting a more equitable and transparent governance model.

Advice to Lawmakers:

- Consider adopting a lifecycle approach to HOA governance to ensure appropriate shifts in control and responsibility.
- Evaluate proposed legal reforms to enhance transparency, fairness, and property owner rights in HOA governance.

Blame Allocation:

- **Current HOA Governance Structures:** For potentially lacking clarity and fairness in transitioning control and protecting individual property rights.

Story 99: "Protect H.O.A. Board Members"

["Protect H.O.A. Board Members"](#)

Date: 17 Sep 2023

Written by: Homeowner

Detailed Summary:

- The writer proposes a solution to protect HOA board members from charges of non-enforcement or selective enforcement of restrictive covenants.
- The solution involves limiting the authority of HOA corporations to only what is necessary to manage and maintain common property.
- It suggests making it illegal for an HOA to enforce rules on a homeowner's private property, irrespective of what is written in the HOA's governing documents.
- The writer previously elaborated on this proposal, including addressing common objections to this policy, in a comment titled "re 'Breach of Fiduciary Duty & Breach of Covenants'."

Judgment:

- The proposal aims to simplify and clarify the role of HOA boards, reducing the risk of legal disputes and accusations of unfair enforcement.
- By focusing HOA authority on common property, the proposal seeks to balance the individual rights of homeowners with the collective interests of the community.

Advice to Lawmakers:

- Consider legal reforms to redefine the scope of HOA authority, focusing on common property management.
- Evaluate the implications of restricting HOA power over private property and the potential impact on community standards and homeowner rights.

Blame Allocation:

- Current HOA Governance Structures: For potentially overreaching in their authority, leading to conflicts and charges of selective enforcement.

Story 100: “Good Article”

Date written: 16 Sep 2023

Written by: Unknown

"Respect Your Local HOA Board Members"

Source: Mike Rosen, Denver Gazette

Summary:

- The column by Mike Rosen emphasizes the role of HOA board members as volunteer homeowners democratically elected by HOA members.
- The board is responsible for presenting the budget for approval at an annual HOA meeting, including decisions on any dues increase.
- The piece suggests that board members, being part of the homeowners, are also subject to the same dues increases and rules.

Key Points:

- HOA board members are volunteers from the community, not paid officials.
- They are responsible for financial decisions, including budget presentation and management.
- The article aims to foster respect and understanding for the challenging role of HOA board members.

[Column: Respect your local HOA board members | Mike Rosen](#)

Story 101: "re 'Breach of Fiduciary Duty & Breach of Covenants'"

["re 'Breach of Fiduciary Duty & Breach of Covenants'"](#)

Date: 15 Sep 2023

Written by: Homeowner

Detailed Summary:

- The author discusses the challenges of enforcing rules on individual properties while maintaining common areas in an HOA.
- They note that many rules are hypocritical, given the condition of common areas, and point out unnecessary requirements like paint, roof, and fence replacements.
- The commentary suggests that HOAs often prioritize minor violations over significant communal responsibilities.

Judgment:

- The narrative points to a discrepancy in HOA management, where minor individual property issues are given undue attention, overshadowing the maintenance of common areas.
- It indicates a potential misalignment of priorities within HOA governance.

Advice to Lawmakers:

- Consider revising HOA regulations to focus more on communal responsibilities and less on minor individual property issues.
- Reevaluate the role of HOAs in enforcing restrictive covenants, ensuring a balance between individual rights and communal interests.

Blame Allocation:

- HOA Board and Management: For potentially prioritizing minor violations on individual properties over the essential maintenance of common areas.
- HOA Governance Structure: For possibly creating a system that encourages focusing on less significant issues, thereby neglecting broader community responsibilities.

Story 102: "Breach of Fiduciary Duty & Breach of Covenants"

"Breach of Fiduciary Duty & Breach of Covenants"

Date: 14 Sep 2023

Written by: Homeowner

Detailed Summary:

- The HOA, established in the late 1970s in Fort Collins, has been annexed by the city since 2015.
- The HOA is generally transparent but fails significantly in maintaining landscapes, which is the primary purpose of their assessments.
- There is a clear division and discrimination between the north and south sides of the community in terms of maintenance, with the south side being neglected.
- The HOA has historically spent funds on private property maintenance instead of common areas, a practice halted by legal action.
- The resident suggests the city could take over landscape maintenance to ensure equitable treatment of all areas.
- The HOA focuses more on individual property violations than maintaining common areas, and Architectural Control Committee (ACC) requirements are deemed mostly unnecessary.
- The resident reflects on the origin of HOAs and their evolution, noting that they often become microcosms of broader societal issues, including discrimination and apathy.

Judgment:

- This story reflects significant mismanagement and discriminatory practices in HOA maintenance, highlighting a failure to meet legal and ethical responsibilities.

Advice to Lawmakers:

- Consider stricter enforcement of equitable maintenance in HOAs and more robust legal mechanisms to address discrimination and mismanagement.
- Explore the feasibility of local government involvement in HOA landscape maintenance to ensure fairness.

Blame Allocation:

- **HOA Board:** For discriminatory practices in maintenance and neglecting equitable treatment of all community members.
- **Legal and Regulatory Framework:** For inadequacies in addressing and preventing such discriminatory practices within HOAs.

Story 103: "Water Intrusion and Repairs"

["Water Intrusion and Repairs"](#)

Date: 10 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident has experienced water intrusion issues since 2015, worsened by a hostile takeover of their HOA board and the appointment of a new management company, M&M Property Management.
- Structural engineering reports identified multiple causes for water intrusion, including holes in the roof, foundation, siding, and decking issues.
- The new board and management have largely ignored the problem, even in the face of legal demand letters.
- The resident filed a lawsuit, but the HOA argues that roof repairs from two years ago absolve them of responsibility for past damage.
- The HOA admitted to foundational issues only after engineers witnessed water damage. Despite this, there has been no substantial water remediation.
- The resident is experiencing mold toxicity due to the unaddressed water damage and mold growth.
- The HOA's negligence extends to other townhomes, with over two dozen experiencing similar issues.
- The resident has incurred significant legal fees trying to compel the HOA to address the problems, but the home remains unsellable and unsafe.

Judgment:

- The narrative reflects a severe failure in HOA management and responsibility, particularly in addressing critical maintenance issues.
- The HOA's neglect has led to significant property damage, health hazards, and financial burdens for the homeowner.

Advice to Lawmakers:

- Strengthen regulations to ensure HOA accountability in maintaining common areas and addressing structural issues.
- Implement mechanisms for homeowners to seek recourse against HOA negligence without bearing prohibitive legal costs.

Blame Allocation:

- **HOA Board and Management Company:** For neglecting critical maintenance issues, resulting in severe property damage and health hazards.
- **Regulatory Framework:** For potential gaps in providing effective recourse to homeowners against HOA mismanagement.

Story 104: "HOA's Don't Have to Comply with the ADA"

["HOA's Don't Have to Comply with the ADA"](#)

Date: 07 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident of Windsor Gardens, a 55+ community, raises concerns about the HOA's refusal to provide handicapped access to both outdoor and indoor pools.
- The HOA claims exemption from ADA compliance, citing 'grandfathered' status and 'Residents Only' access.
- Handicapped residents, despite paying full HOA fees, are denied modifications to enable pool access.
- The community has not upgraded pools to comply with ADA standards from the 1991 reauthorization, citing fears of losing 'grandfathered' status.
- The resident questions the prolonged denial of access to common areas paid for by residents, highlighting the discrimination against disabled individuals.

Judgment:

- The story highlights a significant issue of disability discrimination within the HOA, neglecting accessibility requirements and ADA compliance.
- The refusal to accommodate handicapped residents, despite their financial contributions, raises serious ethical and legal concerns.

Advice to Lawmakers:

- Review and possibly amend legislation to ensure HOA compliance with ADA standards, especially in communities with elderly or disabled residents.
- Consider closing loopholes that allow HOAs to evade ADA compliance, ensuring equal access to common facilities for all residents.

Blame Allocation:

- **HOA Board:** For failing to provide necessary accommodations and comply with ADA regulations, leading to discrimination against disabled residents.
- **Legislative Framework:** For allowing loopholes that enable HOAs to neglect ADA compliance in certain scenarios.

Story 105: "Taxation Without Representation"

["Taxation Without Representation"](#)

Date: 07 Sep 2023

Written by: Homeowner

Detailed Summary:

- Rick White, supporting the concept of HOAs, raises concerns about unfair financial assessments in their community, under the Northgate Business Owners Association (NGBOA).
- The NGBOA charges an annual assessment for maintaining common areas, with costs split between businesses and residents.
- Since 2004, residential bills have doubled despite a quadrupled resident population.
- Residents lack representation under the NGBOA charter, leading to unequal and unclear assessments.
- Efforts to communicate with NGBOA and state representatives have been unresponsive or denied.

Judgment:

- The situation presents a case of potential financial mismanagement and lack of transparency in the NGBOA's operations, impacting residents unfairly.

Advice to Lawmakers:

- Consider revising laws to ensure fair representation and transparency in financial assessments within such associations.
- Address loopholes that allow for unequal taxation without representation in communities.

Blame Allocation:

- **NGBOA:** For potentially unfair and non-transparent financial assessments.
- **Legislative Framework:** For allowing loopholes that lead to taxation without representation.

Story 106: "HOA Flooded My Basement and Won't Pay for Repairs"

["HOA Flooded My Basement and Won't Pay for Repairs"](#)

Date: 07 Sep 2023

Written by: Homeowner

Detailed Summary:

- A condo resident experienced basement flooding caused by a broken irrigation line.
- Initial attempts to identify the water source included ruling out sewer backup and plumbing leaks.
- The issue was resolved once the irrigation line was fixed, indicating the HOA's responsibility.
- The resident's homeowners insurance did not cover the damage, and the HOA refused to cover repair costs, citing that interior damages are the homeowner's responsibility.
- The HOA even charged back the water extraction company's bill to the resident.
- Legal consultation suggested low chances of recouping costs through a lawsuit.

Judgment:

- The narrative highlights a case of HOA negligence in maintenance, leading to significant property damage and financial burden on the homeowner.

Advice to Lawmakers:

- Strengthen regulations to hold HOAs accountable for damages resulting from their negligence or maintenance failures.
- Ensure clear guidelines for HOA responsibilities in common area maintenance and related damage to individual properties.

Blame Allocation:

- **HOA Board and Property Management:** For neglecting maintenance leading to property damage and refusing to take financial responsibility.
- **Insurance and Legal Framework:** For gaps in providing coverage and recourse in such situations.

Story 107: "Let's Get Personal: It's Our Homes, It's Our Money"

["Let's Get Personal: It's Our Homes, It's Our Money"](#)

Date: 07 Sep 2023

Written by: Homeowner

Detailed Summary:

- The writer reflects on past experiences of leading a community-focused neighborhood without significant funds, contrasting it with their current HOA.
- The current HOA emphasizes outsourcing work and lacks community building, contrasting the neighborly help in the past.
- The townhome community of 32 owners faces a new directive from the HOA board to build a substantial 'reserve account,' requiring each homeowner to contribute \$14,000-\$17,000.
- The writer criticizes the lack of options for homeowners to save personally for future assessments.
- The current by-laws make it nearly impossible for homeowners to challenge board decisions or have a say, with a high threshold of 67% votes needed to veto board decisions.
- HOA fees have increased by 75% over the past five years, impacting the marketability of homes.
- The writer advocates for simpler by-laws and a more community-oriented approach rather than a focus on outsourcing and legal complexities.

Judgment:

- The narrative highlights the shift in HOA dynamics from community-driven to a more corporate, outsourced approach, impacting homeowner rights and community cohesion.

Advice to Lawmakers:

- Consider implementing regulations to promote transparency and homeowner participation in HOA decisions.
- Evaluate the feasibility of simpler by-law structures and methods to encourage community involvement in HOAs.

Blame Allocation:

- **Current HOA Board and Management:** For prioritizing financial accumulation over homeowner rights and community building.
- **HOA Governance Structure:** For allowing by-laws that limit homeowner participation and create financial burdens.

Story 108: "Very Little Participation by Unit Owners"

["Very Little Participation by Unit Owners"](#)

Date: 06 Sep 2023

Written by: Board Member

Detailed Summary:

- The story discusses the lack of participation by unit owners in HOA meetings and their disinterest in maintaining their units or associated HOA areas.
- Many unit owners perceive their living situation as akin to a country club, expecting all services to be provided with minimal dues.

Judgment:

- This scenario indicates a disconnect between unit owners and the responsibilities associated with living in an HOA community.

Advice to Lawmakers:

- Explore ways to increase homeowner engagement and understanding of their responsibilities in HOA communities.

Blame Allocation:

- **Homeowners:** For lack of engagement and understanding of their responsibilities in HOA management and upkeep.
- **HOA Communication and Education Strategies:** For potentially failing to effectively communicate the importance of homeowner involvement and responsibilities.

Story 109: "Legal Advice Given to the Board Should be Public to the Homeowners"

["Legal Advice Given to the Board Should be Public to the Homeowners"](#)

Date: 04 Sep 2023

Written by: Homeowner

Detailed Summary:

- The writer argues that since HOA Board members act on behalf of the Association, and the Association's members are ultimately liable for the Board's actions, members have a right to know the legal advice given to the Board.
- The current practice of discussing legal advice in executive sessions is criticized for promoting an "us versus them" mentality and shielding the Board and legal counsel from scrutiny.
- The writer suggests that all legal advice paid for by the membership and given to the Board should be public, and executive meetings for receiving legal advice should be prohibited.
- The aim is to ensure transparency and accountability, especially since the Association members bear the financial burden of legal costs and any resulting monetary judgments.

Judgment:

- The narrative underscores the need for transparency in HOA governance, particularly regarding legal advice and decisions that impact all association members.

Advice to Lawmakers:

- Consider revising HOA regulations to mandate the disclosure of legal advice given to HOA Boards to all association members.
- Evaluate the role of executive sessions in HOA governance, with a focus on enhancing transparency and member involvement.

Blame Allocation:

- **HOA Boards and Legal Counsel:** For potentially fostering a lack of transparency and accountability in their decision-making processes.
- **Current Legal and Governance Frameworks:** For allowing practices that may shield critical information from association members.

Story 110: "Noble Park"

["Noble Park"](#)

Date: 04 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident appreciates the quietness and good maintenance of homes and yards in Noble Park and notes a shift towards water conservation.
- The HOA Board is finally working on rebuilding a long-neglected fence, reflecting slow progress on community improvements.
- The resident suggests enhancing the semiannual picnic to increase community involvement and connection among over 100 homeowners.
- There is a desire for more social interaction and better understanding of where HOA fees are utilized.

Judgment:

- The story highlights a community with potential for greater social interaction and community building, currently hampered by slow progress on improvements and lack of clarity on HOA fee allocation.

Advice to Lawmakers:

- Encourage HOAs to foster community engagement and provide clear communication about the use of HOA fees.
- Explore regulations that promote transparency in HOA operations and community-building initiatives.

Blame Allocation:

- **HOA Board:** For slow progress on community improvements and lack of effective communication about HOA fee usage.
- **Community Engagement Strategies:** For not fully leveraging opportunities to enhance social interactions and community spirit.

Story 111: "Egregious Fines and Lack of Communication"

["Egregious Fines and Lack of Communication"](#)

Date: 04 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident has lived in their condo for 29 years and observes a shift in policy interpretation since the introduction of professional management four years ago, noting a more punitive approach.
- A specific incident involved a neighbor being fined \$500 for a tenant's action, which was not stated as a finable offense in the HOA handbook.
- The resident's efforts to seek clarification from the Board President revealed that the HOA attorneys supported the action, but detailed answers were not provided.
- The resident perceives a long-standing legislative bias favoring management and boards, with little consideration for residents' rights.
- There is a call for a resident Bill of Rights and a mandated communication policy to improve transparency and fairness.

Judgment:

- The narrative highlights issues of transparency, fairness, and changing policy interpretations under professional management, leading to resident dissatisfaction and perceived injustices.

Advice to Lawmakers:

- Consider introducing legislation or guidelines that ensure greater transparency and fairness in HOA management, including clear communication policies and a resident Bill of Rights.

Blame Allocation:

- **HOA Board and Management:** For implementing and supporting punitive actions without clear communication or adherence to established policies.
- **Legislative Framework:** For potential biases favoring HOA boards and management over homeowner rights and interests.

Story 112: "Management Company Does Not Follow Up"

"Management Company Does Not Follow Up"

Date: 04 Sep 2023

Written by: Unknown

Detailed Summary:

- A series of accidents two years ago caused damage to trees and a light pole in the community, with the landscaping left unrestored despite numerous complaints.
- The resident reports several diseased or dead trees in the neighborhood, which remain unaddressed despite repeated reports to the HOA management company.

Judgment:

- This situation indicates a lack of responsiveness and effective action by the HOA management company, leading to ongoing maintenance issues and resident dissatisfaction.

Advice to Lawmakers:

- Strengthen regulations or guidelines that mandate timely and effective response by HOA management companies to maintenance issues reported by residents.
- Explore mechanisms for accountability and oversight of HOA management companies to ensure they address residents' concerns promptly and effectively.

Blame Allocation:

- **HOA Management Company:** For failing to follow up on reported issues and neglecting necessary maintenance and landscaping work.

Story 113: "Energy"

["Energy"](#)

Date: 04 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident, a real estate licensee and former HOA board member, experiences hostility from their current HOA board.
- They sought to install a pergola for shade and energy efficiency but were denied by the HOA, who consulted an attorney and charged the resident for this consultation, a unique occurrence in the community.
- The resident's proposal to plant trees on common ground behind their patio was also denied, despite offering to bear the costs.
- The resident expresses frustration over the HOA board's actions, which seem to be influenced more by personal biases than community welfare.

Judgment:

- The situation reflects a potential misuse of power by the HOA board, marked by a lack of fairness and transparency in decision-making.

Advice to Lawmakers:

- Consider introducing measures to ensure fairness and objectivity in HOA decisions, preventing personal biases from influencing board actions.
- Evaluate the need for regulations to ensure transparency in HOA expenses, particularly when charging individual residents for community-wide costs.

Blame Allocation:

- **HOA Board:** For potentially allowing personal biases to influence decisions and lacking transparency in financial matters.
- **HOA Governance Framework:** For potential gaps in safeguarding resident rights against arbitrary board decisions.

Story 114: "Elkhorn Ranch"

["Elkhorn Ranch"](#)

Date: 04 Sep 2023

Written by: Homeowner

Detailed Summary:

- In Elkhorn Ranch, the declarant, despite being voted out officially, has continued to exercise control beyond the allotted time.
- There have been instances where the majority of homeowners voted for changes, such as allowing metal barns instead of wood and permitting a few hens, but the declarant prevented these changes.
- The HOA president stated that the declarant, being personally vested in the neighborhood, would not allow certain changes, like keeping chickens.
- A homeowner sued the HOA, leading to a doubling of the annual fees to cover legal costs. However, even after the case was dismissed, the fees remained high, despite ample reserves.
- The HOA primarily covers trash and ensures rule compliance, but this has been a source of intense conflict and high turnover in the neighborhood.

Judgment:

- The narrative suggests a significant issue of overreach and undemocratic control by the declarant, leading to conflict and dissatisfaction among homeowners.
- The situation reflects a failure in governance, where the majority will of the homeowners is overridden by a single individual.

Advice to Lawmakers:

- Consider revising regulations to prevent individuals or entities from retaining undue control in HOAs and to ensure democratic processes are upheld.
- Explore mechanisms to provide greater financial transparency and accountability in HOAs, especially concerning the use of reserve funds and fee increases.

Blame Allocation:

- **Declarant of Elkhorn Ranch:** For exerting control beyond the democratic process and going against the majority decisions of homeowners.
- **HOA Board and Legal Framework:** For failing to uphold democratic decision-making processes and for insufficiently addressing the concerns of homeowners.

Story 115: "Courtesy' Violation Notices"

["Courtesy' Violation Notices"](#)

Date: 02 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident and their husband received a "courtesy" violation notice from their HOA after a neighbor complained about their landscaping, alleging it caused drainage issues.
- They appealed to the management company but have waited over six weeks for a response, with the company indicating a delay due to awaiting feedback from the District Manager.
- The resident criticizes the management company for treating a neighbor's complaint as a violation without proper investigation or giving them a chance to respond.
- They suggest that a violation notice should only be issued after confirming a violation has occurred, proposing a fact-finding request as the initial step.
- There's suspicion that the HOA board was not consulted before the issuance of the violation notice.
- The experience has negatively impacted the resident's perception of living in a covenant-controlled community.

Judgment:

- This story reflects a lack of due process and communication in handling complaints within the HOA, leading to unnecessary tensions between neighbors and dissatisfaction with the HOA management.

Advice to Lawmakers:

- Consider implementing guidelines for HOAs to handle complaints and violation notices more judiciously, ensuring proper investigation and communication before issuing violations.
- Explore mandating clearer protocols for complaint resolution in HOAs to prevent premature and potentially unjustified violation notices.

Blame Allocation:

- **HOA Management Company:** For addressing complaints as violations without sufficient investigation and for delays in responding to appeals.
- **HOA Governance Structure:** For potentially lacking clear procedures for handling complaints and issuing violation notices, leading to misunderstandings and conflicts among residents.

Story 116: "Water Conservation vs. 60% Livable Plants in Your Backyard"

["Water Conservation vs. 60% Livable Plants in Your Backyard"](#)

Date: 01 Sep 2023

Written by: Homeowner

Detailed Summary:

- The resident of Mesa Pines North wanted to minimize grass and plants in their backyard to reduce water bills, as the yard is mostly unusable due to its slope.
- Their HOA has a rule requiring 60% of yards to be covered by livable plants, not consistently enforced for existing yards.
- After sending pictures of neighboring yards with less greenery, the resident was advised they could file a complaint against a neighbor but was still held to the 60% standard.
- The resident expresses frustration about the contradiction between promoting water conservation and enforcing a rule that leads to high water bills.

Judgment:

- The story reflects a conflict between environmental sustainability goals and HOA landscaping rules, leading to financial and practical difficulties for the homeowner.

Advice to Lawmakers:

- Consider revising HOA landscaping requirements to align with water conservation efforts and practical usage of property.
- Evaluate the consistency and fairness of rule enforcement within HOAs, especially in the context of environmental considerations.

Blame Allocation:

- **HOA Board:** For potentially inconsistent enforcement of landscaping rules and lack of consideration for water conservation and practical yard usage.
- **HOA Landscaping Policies:** For potentially conflicting with environmental sustainability goals and imposing financial burdens on homeowners.

Story 117: "Not Easy. How Can Government Help?"

["Not Easy. How Can Government Help?"](#)

Date: 01 Sep 2023

Written by: Board Member

Detailed Summary:

- The writer, who has lived in several HOAs and served on two HOA Boards, shares their experience in a community of about 300 condo units built in the 1960s.
- They encountered several challenges, including high insurance premiums, supply chain issues affecting major projects, and water line breaks.
- The current board is dealing with maintenance issues that were deferred by previous boards and a lack of adequate reserve funding.
- Despite these difficulties, the board is committed to being transparent with owners and finding a balance between maintenance needs and financial constraints.
- The writer emphasizes the importance of maintaining up-to-date maintenance and funding while being open about challenges.
- They advocate for less "us vs them" mentality and more mutual trust.
- The writer sees a role for government in supporting, preparing, and providing guidance to HOA boards and suggests more education and training for board members and professional managers.
- The need for assistance from state agencies and the development of regulations to support HOA boards is highlighted.

Judgment:

- This story reflects the complexities and challenges faced by HOA boards, particularly in older communities with legacy issues and financial constraints.
- The emphasis on transparency, mutual trust, and collaboration points to a healthier approach to HOA governance.

Advice to Lawmakers:

- Consider providing more educational resources and training for HOA board members and managers to effectively manage their communities.
- Explore ways state agencies can offer support and guidance to HOA boards, particularly in communities struggling with maintenance and financial challenges.

Blame Allocation:

- **Previous HOA Boards:** For deferring maintenance and not adequately funding reserves, leading to current challenges.
- **Government and Regulatory Bodies:** For a potential lack of support and guidance to HOA boards dealing with complex governance issues.

Story 118: "President Eagle Cliffs Merged Association"

["President Eagle Cliffs Merged Association"](#)

Date: 31 Aug 2023

Written by: Board Member

Detailed Summary:

- The writer is currently serving their second term as the President of the HOA at Eagle Cliffs Merged Association, having previously served for five years.
- They describe the role as challenging but rewarding, especially with the support of a good community association management company and a knowledgeable, responsive professional manager.
- The HOA has faced difficulties in the past due to lack of support, but now they have a company that meets their needs.
- The community consists of 41 units, including 23 patio homes and 18 condos.
- The writer believes HOAs play a crucial role in maintaining the appearance and feel of a community, although they acknowledge the challenges of dealing with occasional disgruntled owners.
- They emphasize the importance of the community association manager's role in handling difficult situations and maintaining the community's appearance to enhance property values.

Judgment:

- This narrative highlights the positive impact of effective management and leadership within an HOA, contributing to a well-maintained and cohesive community.

Advice to Lawmakers:

- Consider supporting and promoting effective HOA management practices that focus on community well-being and property value enhancement.
- Explore ways to enhance education and training for HOA board members and managers to effectively handle community challenges.

Blame Allocation:

- Not applicable in this context as the narrative focuses on the positive aspects of HOA management and community association.

Story 119: "Failure of Leadership by the Governor"

"Failure of Leadership by the Governor"

Date: 30 Aug 2023

Written by: Unknown

Detailed Summary:

- The author first discussed HOA issues with a then-Congress member (now the Governor of Colorado) 11 years ago and had several follow-up meetings over the next few years.
- According to the author, the Governor, since his tenure began in 2019, has not taken any significant actions to assist homeowners burdened by HOA issues.
- The writer suggests that the Governor could have used Executive Orders to address HOA concerns and mentions having drafted such orders.
- The author criticizes the Governor for not fulfilling the statutory deadline for appointments to the HB23-1105 HOA Homeowners Rights Task Force.

Judgment:

- The narrative expresses frustration and disappointment with the perceived lack of action from the Governor's office regarding HOA issues.
- The story highlights a perceived disconnect between political promises and actions, especially concerning HOA reform and support.

Advice to Lawmakers:

- Consider the importance of addressing HOA concerns at the gubernatorial level and the potential impact of Executive Orders in reforming HOA practices.
- Explore mechanisms for ensuring that statutory deadlines for task force appointments and other HOA-related actions are met.

Blame Allocation:

- Governor of Colorado: For the perceived failure to actively address HOA issues and fulfill obligations related to the HOA Homeowners Rights Task Force.
- State Government Structure: For potential gaps in effectively addressing and enforcing HOA-related concerns at the state level.

Story 120: "Lake Sherwood HOA"

["Lake Sherwood HOA"](#)

Date: 30 Aug 2023

Written by: Homeowner

Detailed Summary:

- The resident has owned their home in Lake Sherwood for 33 years and complied with HOA regulations since purchase.
- Located on a dangerous curve on Brookwood Drive, the resident faces safety issues due to limited visibility and speeding drivers. Despite requests and petitions to the city and the HOA for speed bumps, no action has been taken.
- The resident observed speed bumps installed on another street, hinting at possible preferential treatment for wealthier sections.
- HOA dues have increased by at least \$400 with no visible benefits to homeowners.
- The resident also experienced inconsistent responses from the HOA board regarding house repainting, with a lack of formal voting and delayed communication.
- Other families reportedly bypassed the board for house color approval, pointing to inconsistency in the enforcement of rules.

Judgment:

- The story highlights issues of safety concerns, financial transparency, and inconsistent rule enforcement within the Lake Sherwood HOA.
- The lack of response to safety issues and unclear benefits of increased dues reflect potential governance and management issues.

Advice to Lawmakers:

- Consider introducing measures to ensure HOAs address safety concerns promptly and effectively.
- Explore regulations for financial transparency in HOAs, ensuring that dues increases are justified and beneficial to homeowners.
- Strengthen oversight of HOA rule enforcement to ensure consistency and fairness.

Blame Allocation:

- **HOA Board:** For failing to address safety concerns and inconsistencies in rule enforcement and communication.
- **HOA Governance and Management Practices:** For potential inadequacies in responding to homeowner concerns and financial accountability.

Story 121: "Task Force First Meeting"

["Task Force First Meeting"](#)

Date: 30 Aug 2023

Written by: Homeowner

Detailed Summary:

- The story mentions a requirement for an association to notify its unit owners about the HOA Homeowners' Rights Task Force before its first meeting.
- The author inquires about the schedule of the first meeting of the Task Force.

Judgment:

- The narrative indicates a need for transparency and timely communication from the association to its members regarding the Task Force's activities.
- The question about the meeting's schedule reflects a desire for engagement and information from the homeowners.

Advice to Lawmakers:

- Ensure that associations adhere to requirements for notifying unit owners about significant meetings and developments.
- Promote greater transparency and engagement in the processes of task forces or committees that impact HOA members.

Blame Allocation:

- **HOA Association/Management:** For potential lack of communication regarding the Task Force meeting, reflecting a need for improved transparency.
- **Task Force Coordination:** For possibly not providing clear and timely information about the schedule and proceedings of the meeting to all relevant parties.

Story 122: "Lack of Homeowner Maintenance and Covenant Enforcement is Affecting Our Property Value"

["Lack of Homeowner Maintenance and Covenant Enforcement is Affecting Our Property Value"](#)

Date: 30 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner purchased their house in an HOA with the expectation of being part of a well-maintained community and to preserve their investment's value.
- They express concern that their HOA and Board no longer have effective tools to enforce covenants in the community.
- The homeowner believes all residents should comply with the covenants and that the Board should have the authority to hold owners accountable.
- They find it unfair that compliant owners have to contribute additional funds for maintenance or cover costs due to other owners' delinquency or refusal to maintain their properties.

Judgment:

- The story reflects a sense of frustration and injustice over the lack of effective covenant enforcement and the financial burden on compliant homeowners.
- It highlights the importance of effective governance and rule enforcement in maintaining community standards and property values.

Advice to Lawmakers:

- Consider reinforcing the authority of HOA boards to enforce covenants effectively.
- Explore ways to protect compliant homeowners from bearing undue financial burdens due to the non-compliance of others.

Blame Allocation:

- **HOA Board and Management:** For potentially failing to effectively enforce covenants, leading to maintenance issues and financial inequity among homeowners.
- **Regulatory Framework:** For possibly lacking adequate provisions to empower HOAs in maintaining community standards and addressing non-compliance.

Story 123: "Colorado HOA Experience"

["Colorado HOA Experience"](#)

Date: 29 Aug 2023

Written by: Homeowner

Detailed Summary:

- The author, having volunteered and served in various capacities within an HOA, shares insights based on their experiences.
- They express encouragement after reading HB23-1105 but remain uncertain about the potential changes it may bring.
- The author observes that while legislation affecting HOA governance is created, enforcement is limited mainly to litigation, contributing to a litigious and apathetic society.
- Current HOA boards are criticized for being generally ineffective, with directors often lacking knowledge of Colorado law and HOA governing documents.
- The writer emphasizes the need for board members, especially executive members, to be knowledgeable about their HOA covenants and applicable statutes.
- The author calls for legislation that considers the unique demographics of each community and suggests the board should have the ability to remove a director with an affirmative vote of all remaining directors.
- Efforts to update governing documents over 50 years old have been challenging.

Judgment:

- The narrative indicates a need for more effective HOA governance, better education for board members, and tailored legislation that accounts for community diversity.
- The story reflects the challenges in modernizing outdated governing documents and dealing with apathy within HOA communities.

Advice to Lawmakers:

- Consider creating laws and regulations that are adaptable to the specific needs of different HOA communities.
- Explore providing more resources and support for educating HOA board members about their legal responsibilities and governance best practices.
- Evaluate mechanisms to facilitate the updating of outdated HOA governing documents.

Blame Allocation:

- **HOA Boards and Directors:** For a lack of knowledge and effective governance, leading to apathy and legal disputes within communities.
- **Legislative and Regulatory Framework:** For potentially failing to provide adequate support and enforcement mechanisms tailored to the diverse needs of HOA communities.

Story 124: "Uninformed or Misinformed Homeowners in HOA's"

"Uninformed or Misinformed Homeowners in HOA's"

Date: 29 Aug 2023

Written by: Property Manager

Detailed Summary:

- The author, who shifted their career to community association management over 22 years ago, shares insights gained from various roles, including educating and informing others about HOAs.
- They have observed a significant amount of misinformation and under-informed homeowners, which creates an environment of conflict rather than open and respectful communication.
- The responsibility for effective HOA management and communication is seen as resting on all leaders, including HOA Board Members, Managers, Builders, Developers, Real Estate Agents, Sales Teams, Title Companies, and homeowners themselves.
- The author stresses the importance of educating buyers and homeowners to set correct expectations, which can lead to a culture of trust and mutual understanding rather than adversarial relationships.
- They note that apathy is a problem, with many complaints but few individuals willing to actively participate in HOA governance.
- The writer encourages homeowners to read, review, and ask questions about their governing documents, emphasizing that homeowner rights are accompanied by responsibilities.

Judgment:

- The narrative underscores the importance of education and effective communication in HOA communities to address misinformation and foster a positive community environment.

Advice to Lawmakers:

- Consider introducing initiatives to enhance education and awareness among homeowners and potential buyers about HOA responsibilities and rights.
- Promote training and resources for all stakeholders in the HOA process to improve understanding and effective governance.

Blame Allocation:

- **HOA Boards and Management:** For potential gaps in effective communication and education, leading to misinformed or uninformed homeowners.
- **Homeowners and Buyers:** For a lack of engagement and responsibility in understanding their rights and duties within an HOA.

Story 125: "HOA Members are Volunteers"

["HOA Members are Volunteers"](#)

Date: 29 Aug 2023

Written by: Homeowner

Detailed Summary:

- The resident, after living in a non-HOA community for 34 years, chose to retire in an HOA-managed townhome for its well-maintained environment and exterior care.
- They were impressed by the HOA's efficient management and lack of special assessments in its nearly 50-year existence.
- Inspired by their father, who was an HOA board volunteer, the resident decided to volunteer for their HOA board, noting the significant time and effort involved but also the positive impact on the neighborhood's appearance.
- They address common negative perceptions of HOAs, pointing out that homeowners often don't realize they are asking neighbors to pay for special requests, leading to a disconnect between desiring amenities and accepting higher monthly assessments.
- The board faces challenges in getting volunteers and achieving a quorum for elections, with homeowners often complaining but not participating.
- The resident expresses concerns about new regulations that may be helpful to some but detrimental to the community as a whole, especially when covenants aren't enforced.
- They highlight issues with homeowners not paying their monthly assessments and the importance of the HOA's ability to recover funds, suggesting that selling a house for less than market value is not the best solution.

Judgment:

- The story reflects the challenges and rewards of volunteering for an HOA board, balancing community maintenance with individual homeowner desires and financial considerations.
- It underscores the need for greater homeowner involvement and responsibility in HOA governance and rule compliance.

Advice to Lawmakers:

- Explore legislative measures to support HOAs in recovering unpaid assessments while ensuring fairness to all homeowners.
- Consider regulations to enhance homeowner engagement and understanding of their responsibilities in HOA communities.

Blame Allocation:

- **Homeowners:** For lack of engagement, responsibility, and understanding of the financial implications of their requests and non-compliance.
- **HOA Governance and Communication Strategies:** For potentially not effectively addressing homeowner concerns and encouraging active participation.

Story 126: "Support the HOAs"

["Support the HOAs"](#)

Date: 29 Aug 2023

Written by: Homeowner

Detailed Summary:

- The resident has lived in the condominium community since 2014, initially impressed by its condition. However, the community faced several challenges:
 - The pool was unusable for many years.
 - The property lacked a proper maintenance plan.
 - Many residents fell behind on dues, impacting the community's finances.
 - Rule violations were not enforced.
- These issues taught the resident the importance of HOAs and their board of directors.
- With the help of a management company, the board implemented a maintenance program for painting, landscaping, and road upkeep. The pool was repaired and became frequently used.
- Dues arrears were addressed with payment plans, and rule violations started to be corrected.
- The resident acknowledges some people's issues with HOAs but emphasizes their necessity for community safety and value.
- The community includes many renters who don't value the area like owners do, leading to conflict over covenants and rules.
- The board faces challenges due to new legislation (HB 1137), which makes enforcing violations nearly impossible.
- The resident calls for law changes to enable quicker and more effective enforcement of community rules.

Judgment:

- The story illustrates the challenges faced by HOAs in balancing maintenance, financial stability, and rule enforcement. It also highlights the complexities of managing a community with both owners and renters.
- The narrative underscores the essential role of HOAs in maintaining property values and community standards.

Advice to Lawmakers:

- Review and potentially amend legislation like HB 1137 to facilitate effective rule enforcement in HOA communities.
- Consider measures to bridge the gap in understanding and compliance between renters and owners in HOA-managed properties.

Blame Allocation:

- **HOA Board and Management:** For initial failures in maintenance planning and enforcing rules, leading to community issues.
- **Legislative Challenges:** For creating barriers to effective rule enforcement, as highlighted by the resident's experience with HB 1137.

Story 127: "Foreclosure Initiated Against Neighbor"

["Foreclosure Initiated Against Neighbor"](#)

Date: 29 Aug 2023

Written by: Homeowner

Detailed Summary:

- An elderly neighbor, who is up to date on her mortgage, faced foreclosure initiated by the HOA to cover unpaid fines that escalated due to legal fees incurred by the HOA.
- The fines initially were small but snowballed significantly once the HOA involved a lawyer, charging the legal fees to the homeowner.
- The resident suggests that HOAs should be required to shoulder a portion (50%) of legal fees to discourage the snowballing of fees or have a cap on the fees (e.g., \$5-10,000).
- They propose that homes should not be allowed to be sold below a certain percentage of market value (e.g., 50%) to prevent financial exploitation.
- The resident also recommends that HOAs in Colorado should only make suggestions about private property appearances, rather than imposing fines, focusing their primary role on maintaining common areas like pools and greenbelts.

Judgment:

- The story raises concerns about the potentially unfair and financially burdensome practices of HOAs in handling small violations and fines, leading to severe consequences like foreclosure.
- It highlights the need for a more balanced and fair approach in HOA fee enforcement and legal proceedings.

Advice to Lawmakers:

- Consider legislation to limit the escalation of fees and legal costs in HOAs and protect homeowners from disproportionate financial burdens.
- Evaluate the role of HOAs in imposing fines and foreclosures, ensuring fairness and proportionality in their enforcement actions.

Blame Allocation:

- **HOA and Legal System:** For potentially exacerbating small issues into significant financial burdens, leading to extreme measures like foreclosure.
- **HOA Governance and Policy:** For possibly lacking fair and reasonable approaches to fee enforcement and homeowner protections.

Story 128: "Is Digital Really the Way to Go?"

["Is Digital Really the Way to Go?"](#)

Date: 29 Aug 2023

Written by: Homeowner

Detailed Summary:

- The HOA member describes a situation where a household in their community demands that all communications be sent electronically, posing challenges in dealing with compliance issues.
- The problem arises in proving that the emailed notices were received by the intended recipient, as simple denial of receipt puts the board at risk.
- The current reliable method of ensuring delivery is through USPS or courier service, which, while adding expense, provides evidence that the document reached the recipient's mailbox or front door.
- The member expresses concern about potential legislative changes that could remove their ability to use physical mail for verification purposes, emphasizing the necessity of this method for compliance issues.

Judgment:

- The story highlights the limitations and challenges of relying solely on digital communication for important HOA notices, especially in ensuring compliance and providing proof of receipt.

Advice to Lawmakers:

- Consider the implications of digital communication requirements on HOAs, particularly regarding the verification of receipt for compliance-related documents.
- Explore options that balance the efficiency of digital communication with the reliability and verifiability of traditional mailing methods.

Blame Allocation:

- **Legislative and Regulatory Bodies:** For potentially creating constraints that limit the HOA's ability to effectively communicate and verify compliance.
- **Technological Limitations:** For the challenges in ensuring receipt verification in digital communication, impacting HOA management processes.

Story 129: "Unaccountable Control Freaks"

"Unaccountable Control Freaks"

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- The resident describes an issue with their HOA president, who does not live in the town, and the authoritarian approach to enforcing rules.
- The HOA president threatened a lien against the resident's house for not painting it a "modern color," despite the paint job being only 6-7 years old.
- The requirement for a "modern color" was vague, with no defined palette for selection, leading to multiple submissions before an approval was given for a color that the resident considered unattractive.
- Neighbors have experienced similar issues, indicating a pattern of arbitrary decision-making and lack of transparency in the process.

Judgment:

- The story points to a significant issue of arbitrary and unaccountable decision-making by the HOA president, negatively impacting residents.
- The lack of clear guidelines and transparency in enforcing rules raises concerns about fairness and homeowner rights.

Advice to Lawmakers:

- Consider introducing legislation to ensure transparency and accountability in HOA decision-making.
- Explore regulations to prevent arbitrary enforcement of rules and protect homeowners from capricious actions by HOA boards or presidents.

Blame Allocation:

- **HOA President and Board:** For apparent arbitrary rule enforcement and lack of transparency in decision-making.
- **HOA Governance Structure:** For potentially lacking mechanisms to ensure fair and accountable processes in rule enforcement.

Story 130: "HOAs Get A Bad Rap"

["HOAs Get A Bad Rap"](#)

Date: 28 Aug 2023

Written by: Board Member

Detailed Summary:

- The writer, an HOA president, laments the negative perception of HOAs, noting a lack of foresight and knowledge about HOA rules among homeowners.
- Acknowledges the hard work, often voluntary, required to run an HOA and the burnout experienced by those who contribute regularly.
- Advises homeowners to familiarize themselves with HOA governing documents and consider moving if they find the rules untenable.

Judgment:

- While there's acknowledgment of poorly run HOAs, the emphasis is on homeowner responsibility and awareness.
- Burnout among volunteers is a significant issue, suggesting a need for more sustainable management practices.

Advice to Lawmakers:

- Consider legislation that supports sustainable volunteer management within HOAs.
- Promote transparency and homeowner education regarding HOA governance to prevent disillusionment.

Blame Allocation:

- **Homeowners:** For not reading, understanding or ignoring HOA rules.
- **Property Management:** for potential issues leading to volunteer burnout.

Story 131: "HOA has too much control"

["HOA has too much control"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- The HOA increased fees significantly without a corresponding increase in services, leading to resident frustration.
- Confusing budget vote wording and the high threshold required for budget rejection prevent residents from effectively influencing financial decisions.
- A 50% community vote is required to alter the budget, a threshold rarely met.

Judgment:

- The HOA's control over budget and services is excessive, contributing to resident disempowerment.
-

Advice to Lawmakers:

- Implement regulations to ensure clearer communication.
- Simplify voting procedures to enhance transparency and fairness.

Blame Allocation:

- **HOA Board:** For ineffective communication and impractical voting requirements.
- **Community:** For lack of engagement, potentially due to a feeling of disenfranchisement.

Story 132: "Water Issues"

["Water Issues"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- Homeowner experienced recurrent water intrusion, resulting in significant financial loss and eventual home sale.
- HOA failed to address drainage problems or provide access to infrastructure for mitigation efforts.
- The homeowner encountered sewer water backup within the home multiple times without resolution or compensation from the HOA.

Judgment:

- The HOA's negligence in infrastructure maintenance and response to the homeowner's plight was unacceptable.

Advice to Lawmakers:

- Laws should ensure that HOAs are held accountable for maintaining shared infrastructure and responding to homeowners' damages.

Blame Allocation:

- **Property Management:** For neglecting exterior maintenance and not providing necessary access for repairs.
- **HOA Board:** For failing to oversee the property manager and address critical infrastructure issues

Story 133: "HOA - Waste of Money"

["HOA - Waste of Money"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- A homeowner criticizes the high costs and low benefits of their HOA.
- They faced an immediate financial burden due to inadequate insurance information from the HOA and poor property maintenance.
- The HOA's neglect in reserve funding is leading to a proposed doubling of fees amidst deteriorating property conditions.
- Frustrations are compounded by the unaffordable housing market, making it difficult to move out.

Judgment:

- The HOA's failure to provide value for the fees collected, communicate effectively, and manage the community's finances and infrastructure is evident.

Advice to Lawmakers:

- Legislation should ensure transparency in HOA fee usage and mandate effective communication regarding insurance requirements.
- Consider establishing standards for reserve funding and property maintenance.

Blame Allocation:

- **HOA Management:** For poor financial management and communication.
- **HOA Board:** For oversight failure and inadequate maintenance of the property.

Story 134: "One condo deed that is owned by a father-son duo, elected themselves to two seats on a 3 person board"

["One condo deed that is owned by a father-son duo, elected themselves to two seats on a 3 person board"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner expresses alarm over, board election outcomes in a seven-residence condo association with a quasi-government entity involved.
- A father-son duo owning one condo secured two of three board seats, citing legal approval by the HOA attorney.
- The situation raises issues of fair governance, as most owners are non-residents who rent out their properties, leaving day-to-day community concerns possibly underrepresented.
- Legal opinions sought by the duo reinforce their position, causing the homeowner to feel disenfranchised.
- Legal action is considered the only option, albeit costly and uncertain.

Judgment:

- This board composition appears to undermine democratic principles within the association, potentially compromising fair representation and management.

Advice to Lawmakers:

- Evaluate and enforce regulations to prevent conflicts of interest and ensure equitable representation on HOA boards.

Blame Allocation:

- **HOA Attorney & Father-Son Board Members:** For leveraging their legal expertise to dominate the board.
- **HOA Bylaws** For potentially inadequate oversight in the election process.

Story 135: "re : trying to be green"

["re : trying to be green"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- The narrative suggests a systemic issue with HOA governance in Colorado, highlighting the state's repeated legislative efforts to allow water-conserving landscaping practices in HOA communities.
- Despite multiple bills passed over nearly two decades, compliance by HOAs remains elusive, as the author cites experts who observe HOAs' disregard for statutory laws and court orders.
- The author's own litigation experiences reveal the significant challenges and costs homeowners face in enforcing their rights against HOAs.
- The critique extends to lawmakers, implying that legislative efforts are superficial and fail to address the underlying power dynamics and enforcement issues within HOAs.

Judgment:

- The repeated need for legislation on the same issue indicates a failure in HOA compliance and a lack of effective enforcement mechanisms.
- The author's experience suggests a disconnect between well-intended laws and the practical realities faced by homeowners, pointing to a significant gap in the legislative process and HOA management.

Advice to Lawmakers:

- Create more robust enforcement mechanisms for HOA-related legislation, ensuring homeowners' rights are protected and environmental initiatives are implemented.
- Engage in a thorough review of the systemic issues within the HOA industry, possibly reevaluating the role and regulation of HOAs in residential governance.

Blame Allocation:

- **HOA Boards, Managers, and Attorneys:** For a pattern of non-compliance and possibly exploiting legal loopholes to disregard homeowner rights.
- **State Lawmakers:** For a lack of foresight in crafting enforceable and impactful legislation that addresses the root causes of non-compliance and abuse of power within HOAs.

Story 136: "Violations"

["Violations"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- The author, with 25 years of experience as an HOA manager and board member, asserts that enforcing violations is impossible under the new HB 1137.
- The legislation's \$500.00 fine is cited as inadequate for effective enforcement.

Judgment:

- The story points to significant challenges in enforcing HOA rules, particularly under new legislative frameworks.

Advice to Lawmakers:

- Review and possibly revise HB 1137 to ensure more effective enforcement mechanisms in HOAs.

Blame Allocation:

- **Legislation (HB 1137):** For potentially creating enforcement challenges within HOAs.
- **HOA Boards and Managers:** For possibly failing to adapt to new enforcement rules effectively.

Story 137: "Paint Colors"

["Paint colors"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- A homeowner in Wellington, CO, describes frustration with their HOA's inconsistent enforcement of exterior paint color rules.
- The homeowner chose a blue accent color in 2016 but was told only "earth tones" were allowed.
- Six months later, a nearby house was permitted to have extensive blue coloring, highlighting the inconsistency.

Judgment:

- The story underscores issues of inconsistent rule application by the HOA, leading to homeowner frustration and perceived unfairness.

Advice to Lawmakers:

- Standardize guidelines for HOAs regarding aesthetic decisions to ensure fairness and transparency.

Blame Allocation:

- **Board Members:** For inconsistent enforcement of rules and lack of clear guidelines on allowable colors.

Story 138: "trying to be green"

["trying to be green"](#)

Date: 28 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner expresses frustration with the HOA's regulations that mandate excessive lawn watering and a minimum of 75% greenery, opposing their preference for water-free landscaping.

Judgment:

- The HOA's requirements conflict with environmentally sustainable practices and homeowner preferences.

Advice to Lawmakers:

- Consider revising HOA regulations to support environmentally friendly landscaping choices.

Blame Allocation:

- **HOA Board Members:** For enforcing landscaping rules that are not environmentally sustainable.

Story 139: "Board Vacancies Should be Filled by Membership Vote"

["Board Vacancies Should be Filled by Membership Vote"](#)

Date: 27 Aug 2023

Written by: Homeowner

Detailed Summary:

- The author advocates for mandatory member elections for HOA board vacancies with over a year remaining in the term.
- Current practices allow boards to fill vacancies with their acquaintances, limiting new perspectives.
- The author highlights a history of self-appointments and vacancy neglect, undermining true democratic representation in the HOA.

Judgment:

- The HOA's practices appear to compromise fair representation and stifle diverse viewpoints.

Advice to Lawmakers:

- Enforce regulations mandating member-elected board vacancies to promote democracy in HOA governance.

Blame Allocation:

- **HOA Board Members:** For exploiting bylaw flexibilities to maintain power and prevent diversity.
- **HOA Bylaws:** For allowing undemocratic practices in board appointment processes.

Story 140: "Election Shenanigans"

["Election Shenanigans"](#)

Date: 27 Aug 2023

Written by: Unknown

Detailed Summary:

- The story highlights issues with long-serving HOA board members in a pre-1992 community who resist change and control board appointments.
- These board members have bypassed membership votes for appointments, instead selecting candidates aligned with their agenda.
- They have also used the HOA's private email list to promote their preferred candidates while denying others the same opportunity.

Judgment:

- The actions of these board members demonstrate a disregard for democratic processes and fair representation within the HOA.

Advice to Lawmakers:

- Introduce regulations ensuring transparency and democratic practices in HOA elections and board appointments.

Blame Allocation:

- Long-serving HOA Board Members: For manipulating the election process and restricting fair member representation.
- HOA Governance Structure: For allowing loopholes that enable such undemocratic practices.

Story 141: "Overall"

"Overall"

Date: 27 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner details numerous issues with their HOA, including poor maintenance of common areas, inconsistent responsibility allocation, inadequate response to complaints, and lack of security.
- Notable problems include neglected parking lot cleanliness, unpatrolled permitted parking areas, and unresponsive HOA contacts.
- The HOA is also criticized for charging extra fees without explanation and imposing unreasonable restrictions on residents.

Judgment:

- The HOA exhibits a pattern of neglect, poor communication, and questionable financial management, adversely affecting the living conditions and homeowner satisfaction.

Advice to Lawmakers:

- Implement stricter regulations for HOA accountability in maintenance, financial transparency, and resident communication.

Blame Allocation:

- HOA Management: For negligence in property maintenance and failure to effectively communicate with residents.
- HOA Financial Practices: For lack of transparency and unreasonable imposition of fees and restrictions.

Story 142: "Re-Inventing the Square Wheel"

"Re-Inventing the Square Wheel"

Date: 27 Aug 2023

Written by: Unknown

Detailed Summary:

- The narrative criticizes Colorado's legislative approach to HOA reform, specifically regarding homeowner rights to install water-conserving landscaping.
- Despite multiple legislative attempts since 2005, the author perceives these efforts as ineffective, indicating a broader issue of HOA law imbalance.
- The author argues for a paradigm shift, suggesting that HOA corporations' broad powers should be limited, and homeowners' rights expanded.

Judgment:

- The persistent need for repeated legislative interventions suggests systemic issues in HOA governance and compliance.

Advice to Lawmakers:

- Reevaluate and possibly reform HOA laws to balance the authority of HOA corporations and the rights of individual homeowners.

Blame Allocation:

- Lawmakers: For failing to enact effective and enduring HOA reforms.
- HOA Corporations: For potentially abusing their broad powers at the expense of individual homeowners' rights.



Story 143: "Color scheme added without notice"

["Color scheme added without notice"](#)

Date: 27 Aug 2023

Written by: Homeowner

Detailed Summary:

- A resident of Maple Hill, Fort Collins, reports a sudden change in the HOA's color scheme policy to a limited palette without proper notification.
- Homeowners are being compelled to change previously approved exterior colors.
- The resident expresses a preference for diverse colors and believes the new policy stifles individuality and creativity.

Judgment:

- The HOA's abrupt policy change and enforcement approach appear to be an overreach, impacting homeowner autonomy and neighborhood character.

Advice to Lawmakers:

- Establish guidelines for HOA color scheme policies, ensuring they are reasonable, inclusive, and communicated effectively.

Blame Allocation:

- HOA: For implementing a restrictive color scheme without adequate notice and disregarding previously approved homeowner choices.

Story 144: "Mastino Management/Americana HOA"

["Mastino Management/Americana HOA"](#)

Date: 26 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner faced restrictive practices from their HOA, prohibiting discussions about the HOA outside board meetings.
- The homeowner incurred significant legal expenses attempting to access financial records from Mastino, the management company.
- Concerns are raised about potential embezzlement by the management company, with another HOA suing Mastino for missing funds.

Judgment:

- The management company's secretive practices and the HOA's restrictive communication policies suggest a lack of transparency and potential mismanagement.

Advice to Lawmakers:

- Reinstate or enhance regulations for HOA management companies to ensure transparency and accountability.

Blame Allocation:

- Mastino Management Company: For potential financial secrecy and mismanagement.
- HOA: For implementing restrictive communication policies that hinder community dialogue and oversight.

Story 145: "HOA BoD Secretary"

["HOA BoD Secretary"](#)

Date: 26 Aug 2023

Written by: Board Member

Detailed Summary:

- The story comes from a rural, self-managed HOA with over 20 years of history, no paid staff, contracting only for road maintenance and snow plowing.
- Issues raised include problems caused by short-term rentals in neighboring HOAs, such as trespassing, vandalism, and noise, suggesting a need for more state regulation.
- The HOA faces challenges in adopting Wildland-Urban Interface (WUI) fire codes due to local government inaction.
- Governance is complicated by absentee or second homeowners.
- Minimal regulation within the HOA has helped reduce conflicts among owners.

Judgment:

- The self-management approach has minimized internal conflicts but external factors and regulatory limitations pose challenges.

Advice to Lawmakers:

- Consider stricter regulations and oversight for short-term rentals to address community impact.
- Facilitate HOAs' adoption of necessary safety codes like WUI fire codes, especially in rural areas.

Blame Allocation:

- Neighboring HOAs and State Regulation: For insufficient management of short-term rentals.
- Local Government: For not enabling the adoption of essential fire safety codes.

Story 146: "Persistent Sewer Line Backup"

["Persistent Sewer Line Backup"](#)

Date: 26 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner at Cedar Place in Lakewood, CO, reports repeated basement flooding due to inadequate sewer line drainage, an issue under HOA responsibility.
- Despite the problem persisting for over 7 years, the HOA management has failed to address it effectively.
- The homeowner incurred insurance cost increases and legal expenses in an attempt to resolve the issue, yet the HOA's legal counsel refuted their claims.

Judgment:

- The HOA's failure to address a longstanding infrastructure issue reflects significant negligence.

Advice to Lawmakers:

- Strengthen regulations to hold HOAs accountable for maintenance of shared infrastructure and timely resolution of issues.

Blame Allocation:

- HOA Management: For not addressing the sewer line issue and poor response to homeowner's concerns.
- HOA's Legal Counsel: For disputing legitimate homeowner claims and not facilitating a resolution

Story 147: "HOA Foreclosures on Active Duty Military member while Deployed to Afghanistan!"

["HOA Foreclosures on Active Duty Military member while Deployed to Afghanistan!"](#)

Date: 26 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner, deployed in Kabul, Afghanistan, faced foreclosure by their HOA.
- Despite the Serviceman's Civil Rights Act (SCRA), which offers limited protections, the HOA proceeded with foreclosure during deployment.
- The homeowner had a buffer balance to cover dues, but the HOA raised dues without proper notice, depleting this buffer.
- The HOA then claimed a debt of \$5,000 due to fees and charges, leading to the foreclosure action.

Judgment:

- The HOA's actions, particularly in light of the homeowner's military deployment, display a lack of empathy and possibly a violation of legal protections for service members.

Advice to Lawmakers:

- Strengthen SCRA or similar protections for military personnel to prevent such aggressive actions by HOAs during deployments.

Blame Allocation:

- **HOA and Its Legal Counsel:** For pursuing foreclosure despite the homeowner's active military status and the existence of SCRA protections.

Story 148: "Horrible and Inconsistent"

"Horrible and Inconsistent"

Date: 26 Aug 2023

Written by: Homeowner

Detailed Summary:

- A homeowner describes experiencing punitive and inconsistent treatment from their HOA in the Buffalo Creek subdivision, Wellington.
- The HOA is accused of selectively fining residents and harassing those who challenge their decisions.
- The homeowner alleges that the HOA assigns responsibilities to homeowners that are actually the HOA's responsibility, as per documented agreements.

Judgment:

- The HOA's conduct appears to be arbitrary and possibly violates the rights and agreements with homeowners.

Advice to Lawmakers:

- Implement and enforce regulations that ensure fair, consistent, and transparent practices within HOAs.

Blame Allocation:

- **HOA Board and Management:** For alleged unfair treatment, selective enforcement of rules, and misrepresenting homeowner responsibilities.

Story 149: "No Controls to Moderate Bad Actors on the BOARD as well as HOMEOWNERS"

"No Controls to Moderate Bad Actors on the BOARD as well as HOMEOWNERS"

Date: 26 Aug 2023

Written by: Board Member

Detailed Summary:

- A board member of a 634-home SFH neighborhood describes a lack of compliance monitoring and maintenance, with the board keeping dues artificially low.
- The narrative highlights disrespectful homeowner behaviors and challenges in updating reserve studies and enforcing rules.
- The author notes the emotionally taxing environment for board members due to social media misinformation and direct threats.

Judgment:

- The environment within the HOA appears contentious, with issues stemming from both board management practices and homeowner behaviors.

Advice to Lawmakers:

- Consider implementing guidelines or legislation to promote respectful interactions and effective governance in HOAs.

Blame Allocation:

- HOA Board: For inadequate compliance monitoring and financial management.
- Homeowners: For aggressive and disrespectful behaviors that undermine community governance.

Story 150: "Nightmare Situation. HOA's default is to insist that any repair is the owner's responsibility, regardless of the circumstances."

["Nightmare Situation. HOA's default is to insist that any repair is the owner's responsibility, regardless of the circumstances."](#)

Date: 25 Aug 2023

Written by: Homeowner

Detailed Summary:

- The homeowner in Denver, CO, reports a leak from an upstairs unit leading to significant damage in their condo.
- The HOA displayed delayed action and a refusal to file an insurance claim, exacerbating the damage.
- The homeowner encountered discriminatory treatment compared to other residents, including restrictions on pet ownership and installation of appliances.
- Concerns about financial transparency, poor communication, and lack of effective board oversight were raised.
- The homeowner feels singled out and unfairly treated by the HOA and its management.

Judgment:

- The HOA's management practices demonstrate a lack of responsiveness, fairness, and transparency, leading to significant distress for the homeowner.

Advice to Lawmakers:

- Strengthen regulations to ensure timely and equitable responses by HOAs to maintenance issues and homeowner concerns.

Blame Allocation:

- HOA Management: For poor handling of repair issues and discriminatory practices.
- HOA Board: For lack of effective oversight and communication with residents.