

Summary of Fred Freeh's Discussion with Zack Goldberg of Winzenburg, Leff, Purvis & Payne.

Radon Gas Mitigation Systems- They are not regulated as much as solar panels, and that the Board can have a say so as to where they can be placed, and meet esthetic requirements.

Correct. Section 3.8 of the Declaration says: "All plans and materials for exterior construction or remodeling of any kind must be approved by the Architectural Control Committee." Based on this, prior application or approval is required before an owner adds or modifies a radon system to their home.

As part of the (in this case, retroactive) approval process, the Association can impose, and make approval contingent upon compliance with, reasonable (and evenly applied) restrictions on the location and color of the exterior portion of a radon system.

Violation Process- It is best to avoid face to face encounters with violators for safety reasons even with good intentions which was our goal. You also said it is important to be consistent with violators. You were going to send information on how to address these types of situations. We have a Referral process which you would like to review to see if it is compliant with CCIOA (Colorado Common Interest Ownership Act) bill 22-11-37 effective July, 2022, and a form that has been used in the past as a first step in the violation process.

Yes, I will be glad to review the Association's current forms/process and will then plan on providing any resulting feedback, suggestions, recommendations for improving the process moving forward, including related to CCIOA compliance considerations, etc.

The Federal Transparency Act (Corporate Transparency Act) is to be implemented 12/31/2024. You are anticipating universal guidance and are asking us to follow up 9/1/2024, at which time you hope to have more clarification.

We will probably have some information on this sooner but encourage reaching out during this early fall timeframe before reporting requirements go live for additional details that we hope to be able to provide at that time (including if there are any changes to the requirements with which HOAs must comply).

Board Training Requirements- There are no State or City mandatory requirements and no Board member pictures. However, it is encouraged to have an annual Board and residents training on pertinent topics to our neighborhood which you could provide. This would be \$280.

I do not know of any city/local requirements along these lines and would be surprised to learn of any. Regarding state requirements, all I know of are the following references to Board/owner education in CCIOA, but they contain little detail:

***38-33.3-209.6. Executive board member education. The board may authorize, and account for as a common expense, reimbursement of board members for**

their actual and necessary expenses incurred in attending educational meetings and seminars on responsible governance of unit owners' associations. The course content of such educational meetings and seminars shall be specific to Colorado and shall make reference to applicable sections of this article.

***38-33.3-209.7. Owner education. The association shall provide, or cause to be provided, education to owners at no cost on at least an annual basis as to the general operations of the association and the rights and responsibilities of owners, the association, and its executive board under Colorado law. The criteria for compliance with this section shall be determined by the executive board. We are, of course, glad to assist, both in helping clients comply with these provisions and generally providing education to interested clients, both for directors and owners generally.**

Dora Annual Registration Renewal - You were going to have one of your staff investigate the details for the renewal of our Andover Glen Homeowner's Association Registration.

I just went ahead and checked the website and the Association appears to be registered and current with DORA (although the current license expires 3/23/2024). It appears Carie Lynn Eisenberg (or perhaps someone else) may be keeping this registration up-to-date. Please see attached and let me know if the Board is interested in having us monitor this for the Association/assist with future renewals.

Your fee is \$280 per hour and we would not be charged for this phone call today.
Correct. Neither for that phone call nor for preparing this email.