



Housing

During the 2022 legislative session, the General Assembly considered housing bills to address affordability, homeowner associations, and families without housing.

Affordable Housing

Several affordable housing bills created programs to increase the supply of housing and infrastructure to support housing.

[House Bill 22-1051](#) extends the Colorado affordable housing tax credit from December 31, 2024 to December 31, 2034. The amount allocated by the Colorado Housing and Finance Authority (CHFA) also increases from \$10 million to \$15 million per year.

[House Bill 22-1304](#) creates the Transformational Affordable Housing through Local Investments Grant and the Infrastructure and Strong Communities Grant in the Department of Local Affairs (DOLA). The Transformational Affordable Housing through Local Investments grant provides \$138 million to communities for affordable housing and related expenses, such as infrastructure, new construction, maintenance of housing, energy improvements, conversion, supportive housing and services, land banking, and eviction legal defense.

The Infrastructure and Strong Communities grant provides \$40 million for infrastructure projects on vacant land. The program includes the creation of sustainable land use best

practices. DOLA must submit yearly program reports to the General Assembly.

[Senate Bill 22-146](#) expands CHFA's Middle Income Access Program by \$25 million. The program provides financing to developers building affordable rental housing for essential workers, such as teachers.

With the passage of [House Bill 22-1282](#), the Innovative Housing Incentive Program provides \$40 million in grants and loans for performance based incentives to create and install innovative housing units and innovative factory development. DOLA reports annually to the General Assembly on spending and geographic distribution of the funds.

DOLA administers the Transformational Revolving Loan Fund Program, created by [Senate Bill 22-159](#). The program provides \$150 million in flexible low interest and below market rate loans to support affordable housing projects. These projects will create infrastructure, provide gap financing for housing and land purchases, increase housing stock, preserve or restore housing, focus on energy improvement, and increase long-term homeownership. The department must include the program in their annual public report.

The Middle-Income Housing Authority, created by [Senate Bill 22-232](#), provides rental housing for middle income families. This public entity acquires, constructs, rehabilitates, manages projects, and finances affordable

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housing for families with incomes of 80 percent of area median income, up to 120 percent in some areas. Local governments must be notified of proposed projects and may decline the building of a project in their community.

Homeowner Associations

During the 2022 session, laws related to homeowner associations (HOAs) clarified how assessments, fees, and fines are collected; resident access to common areas and public rights of way, and how long homeowners may permit a proxy voter.

House Bill 22-1137 changes how an HOA notifies homeowners about violations of association regulations and charges and collects fees and fines. Notice about the collection of delinquent fees must be provided in the homeowners preferred language by certified mail, return receipt requested or posted on the property; and via text, first class mail, or email.

The HOA may charge up to \$500 in fines. Homeowners must receive monthly statements of assessments, fines, fees, and charges. Payments are first credited to assessments, then fines, fees, and other charges. Interest on assessments, fines, and fees owed is limited to no more than eight percent per year.

Before an HOA starts foreclosure on property for an unpaid assessment it must establish and provide a written 18-month payment plan. Within 30 days after a repayment plan offer, the homeowner must either reject the plan or fail to make three monthly payments before a foreclosure may begin. An association cannot foreclose for attorney or collections fees on fines. HOAs violating laws may owe \$25,000 in damages and costs.

With the passage of *House Bill 22-1139*, an HOA cannot regulate or limit the use of a public right of way, such as an alley, that is controlled by

local government law. In addition, effective August 12, 2022, *Senate Bill 22-059* defines that a homeowner's HOA voter proxy is valid for 11 months from the date obtained.

House Bill 22-1040 allows homeowners' reasonable access to common areas in a development. An HOA may limit access during maintenance or repairs. If restrictions go beyond 72-hours, the association should provide written or electronic notice and post the notice near access to the area. The notice must include how long access is restricted, a contact for questions, and a simple explanation for the restriction.

Families without Housing

Individuals and families without housing will receive assistance through new laws.

House Bill 22-1083 provides up to \$1.5 million in tax credits for taxpayers that donate to nonprofits addressing homelessness, including donations toward operational expenses like shelters or job placement and programs that prevent homelessness or assist individuals and families experiencing homelessness. The credit is limited to \$100,000 per tax payer per year.

House Bill 22-1378 creates the Denver Metropolitan Regional Navigation Campus grant to create a campus to provide housing; services, such as behavioral healthcare; vocational rehabilitation and work skills; and other assistance. DOLA distributes \$50 million to a local government and/or community partner in the Denver area for the campus.

House Bill 22-1377 creates Connecting Coloradans Experiencing Homelessness with Services, Recovery Care, and Housing Supports. DOLA distributes \$105 million to local governments to help individuals experiencing homelessness.