

Summary of Legislation

2024



Hot Topic: Housing

The General Assembly considered several measures related to housing during the 2024 legislative session, including bills that affect landlords and tenants, housing codes, and homeowners' associations.

Landlords and Tenants

[House Bill 24-1098](#) prohibits landlords from evicting a residential tenant without cause. Cause exists only when:

- a tenant unlawfully detains real property under certain circumstances; or
- a tenant engages in conduct that creates a disturbance that interferes with the quiet enjoyment of the landlord or other tenants, or where the tenant negligently damaged the property; or
- conditions exist that constitute the grounds for a no-fault eviction.

Conditions that constitute grounds for a no-fault eviction include, but are not limited to:

- substantial repairs or renovations to the residential premises;
- occupancy of the residential premises is assumed by the landlord or landlord's family;
- a tenant has a history of nonpayment of rent.

[House Bill 24-1318](#) changes laws regarding modifications of rental premises for individuals with disabilities. Under current law, it is unlawful to discriminate against a renter of a dwelling unit because the renter has a disability. Discrimination includes a

refusal to permit reasonable modification to a unit if the modifications are necessary for the individual with a disability to gain full enjoyment of the premises.

The bill removes provisions in current law that:

- allow a landlord to condition permission for a modification on the renter agreeing to restore the interior of the premises; and
- require modifications of the premises to be at the expense of the individual with a disability.

[House Bill 24-1259](#) prohibits price gouging in the provision of rent-based housing during a disaster period and within the designated disaster area. This is only applicable if the disaster declaration specifically declares a material decrease in residential housing units.

Price gouging for dwellings that were on the market immediately preceding the disaster means an increase in rent that is greater than:

- the percentage of the rent increase for the immediately preceding year; or
- 10 percent compared to the rent for the dwelling immediately preceding the disaster

Price gouging for dwellings that were not on the market immediately preceding the disaster will be based off similar dwellings located in the designated area.

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[Senate Bill 24-094](#) modifies existing warranty of habitability laws by clarifying actions that constitute a breach of the warranty of habitability and procedures for both landlords and tenants when a warranty of habitability claim is alleged by a tenant. These modifications include, but are not limited to:

- requiring a landlord to take measures to ensure that an uninhabitable condition is remedied or repaired;
- requiring a landlord to provide a tenant with a comparable dwelling unit or hotel room for up to 60 days while the landlord addresses any uninhabitable conditions; and
- establishing procedures for when a landlord may enter the dwelling unit of a tenant to address an uninhabitable condition and identifying circumstances when a tenant may deny a landlord entry to the dwelling unit.

Housing Codes

[House Bill 24-1007](#) prohibits counties, cities, and municipalities from limiting the number of people who may live together in a single dwelling based on familial relationship.

Local governments may implement residential occupancy limits based only on:

- demonstrated health and safety standards; or
- local, state, federal, or political subdivision affordable housing program guidelines.

[House Bill 24-1091](#) generally prohibits covenants and other restrictions that disallow the installation, use, or maintenance

of fire-hardened building materials in residential real properties.

The law allows a unit owners' association of a common interest community to develop reasonable standards regarding the design, dimensions, placement, or external appearance of fire-hardened building materials used for fencing within the community.

Homeowners' Associations (HOAs)

[Senate Bill 24-134](#) prohibits HOAs from disallowing the operation of a home-based business in a common interest community.

The operation of a home-based business must still comply with any applicable HOA rules related to architectural control, parking, landscaping, noise, nuisance, and other matters that may impact operations.

[House Bill 24-1233](#) changes some of the procedural requirements for HOAs that are collecting payments from unit owners with delinquent accounts. The changes include, but are not limited to:

- removing a requirement that an HOA physically post notice of a unit owner's delinquent account on the unit owner's unit;
- authorizing an HOA to contact a unit owner or designated contact via telephone; and
- allowing an HOA to charge a unit owner for the cost of sending notices or documentation by certified mail.

