

**House Transportation, Housing & Local Government**

**03/05/2024 Upon Adjournment**

**HB24-1300 Home Sale Wildfire Mitigation Requirements**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Donald Moore For themselves	<p>Thank you for the opportunity to comment. In October 2020, I along with my wife Toni, began assisting property owners with fire mitigation, fire awareness, and forest health. Over the past 3.5 years our group (NoFloCo Fire Mitigation Posse’) has grown from two individuals to over 500 and we have eliminated over 7.3 billion BTUs of fuel from private lands located within the Wildland Urban Interface (WUI). It has been my belief that the individuals living in the WUI must take responsibility for where they reside. The residents that own property in the WUI will do the work; they just need a little guidance and less interference/obstacles from government to complete the work. HB24-1300 gives the property owner the responsibility, as well as the incentive to conduct proven scientific benefits of fire mitigation.</p> <p>I am a small-government, civil-liberties individual; I am not a fan of increased government overreach infringing upon individual freedoms. However, residing within the WUI does require a heightened awareness of individual responsibilities and the need for action – without the entire community taking action to reduce the fuel load and mitigate all areas of the Home Ignition Zone the risk of devastation from wildfire will grow; loss of property will increase; obtaining insurance coverage will be near impossible; first responders will continue to be put in danger; and forest health will decline.</p> <p>The National Cohesive Wildland Fire Management Strategy has outlined the need to increase both the pace and scale of our fire mitigation efforts; this will require efforts to be put forth by all individuals on all lands, both public and private. Requiring property owners to meet mitigation criteria for a point-of-sale transaction is an appropriate action.</p>
Peter Gach Against themselves	<ol style="list-style-type: none"><li>1. It should be announced who initiated and why HB1300 was presented.</li><li>2. If it is passed, it will open up a whole can of worms: unlimited costs to mitigate for a seller, cost of permits (it is bad enough in some</li></ol>

	<p>counties an owner has to pay for a permit in order to clean their septic tanks), cost to both buyer and seller for any closing extensions, just so many endless scenarios that will not be easy to control.</p> <p>3. It is not the trees that will burn a home down but it will be the embers from over a mile away that will start the fire on a home.</p> <p>4. Plus side will be that HB 1300 might create more new businesses of mitigating companies, inspectors!</p> <p>Please do not allow this. It was bad enough that the Gallagher Act was repealed a few years back that forced such tax increases that, as the this fire mitigation will affect, seniors on a fixed income and young families that will not be able to afford the costs.</p> <p>5. Insurance premiums will skyrocket for owners WHO ARE NOT selling or perhaps loose their coverage.</p> <p>6. Please be smart and DO NOT present this HB 1300.</p> <p>7. Make it announced, BOLDLY, who is starting this.</p>
<p>Skylar Marshall Against themselves</p>	<p>The concerns raised encompass various aspects of the inspection and mitigation process concerning property sales. Questions arise regarding who will conduct the inspection and their qualifications, the strain on already stressed county and state resources, and the financial burden it may impose on less fortunate individuals. There's also uncertainty about the accuracy of readiness assessments and the addition of unknown timelines to sale processes, particularly affecting those in urgent need of selling, such as the elderly or out-of-state sellers. Furthermore, rural areas may face exacerbated challenges due to limited staffing and resources. Questions about escrow management, readiness determination, and accountability in case of incomplete or incorrect efforts remain unanswered. Additionally, there's a worry about the potential impact on home insurance accessibility and the observation that this process solely affects sellers rather than the broader community.</p>
<p>rylee mcconnell Against themselves</p>	<ul style="list-style-type: none"> <li>-Who conducts inspections and what qualifications do they possess?</li> <li>-Strain on already stretched county/state resources</li> <li>-Financial strain on economically disadvantaged individuals</li> <li>-Who verifies the accuracy of "readiness"?</li> </ul>

	<ul style="list-style-type: none"> <li>-Introduction of uncertain timelines in the sales process (inspection, mitigation, and completion)</li> <li>-Disproportionately affects individuals in urgent need of selling, such as the elderly or out-of-state sellers (inheritors)</li> <li>-Rural communities face heightened challenges due to limited staffing and resources</li> <li>-Who oversees escrow and how is home readiness determined? What is the timeline for this process?</li> <li>-How is escrow managed and when is it released?</li> <li>-What are the consequences if required actions are incomplete or incorrect?</li> <li>-Who bears responsibility if a mitigated home experiences a fire?</li> <li>-Impact limited to sellers, not the broader community</li> <li>-May raise barriers to obtaining home insurance</li> <li>-Solely applies to the home sales process</li> </ul>
<p>Jean Wolter Against themselves</p>	<ol style="list-style-type: none"> <li>1. Who will perform the inspection &amp; how are they educated?</li> <li>2. Overburden on stressed resources at the county/state level.</li> <li>3. Financial burden for those less fortunate.</li> <li>4. Who will check the accuracy of "readiness"?</li> <li>5. Unnecessarily adds unknown dates to the timeline of a sale (inspection, mitigation, and completion).</li> <li>6. Negatively impacts those needing a quick sale, the elderly or out of state sellers (heirs).</li> <li>7. Rural areas will have a greater negative impact due to staffing and resources.</li> </ol>

	<p>8. Who holds escrow and how is it determined the home is ready? Timeline on this process?</p> <p>9. Who manages escrow and how is it released?</p> <p>10. What occurs if the required efforts are not complete or incorrect?</p> <p>11. Who is responsible if the home is deemed mitigated and a fire occurs?</p> <p>12. Only impacts those who sell, not a community.</p> <p>13. Possibly increases the difficulty of obtaining home insurance.</p> <p>14. Only a process for the sale of a home and not for existing residences.</p>
<p>Robert Tonsing For themselves</p>	<p>Requiring property owners to clear dense or dead trees before getting a building permit and certificate of occupancy is a great idea, but it only addresses a tiny minority of the problem areas. It also forces builders into an unfair disadvantage, because when a new house goes on the market, it must compete with other homes for sale, which have been there for a long time already, and which probably are choking on dense forest and dead trees. By applying the policy in a lopsided manner like that means that it is applied to only about 7 percent of the houses on the market! It would be fair, and easily achievable, to require certified defensible space thinning on all properties which are being sold, before the title can be transferred. The reason I say it is easy, is that the same requirement is already in place for septic systems: You can't sell your house without first having an inspection done to show that the septic system is performing properly. Why not use the same approach in an area which is so critical to public safety? I can guarantee you that without a policy like that in place, no one will voluntarily do the right thing when it comes to defensible space thinning.</p> <p>Implementing the requirement should be mandatory in my opinion, the same as certifying the function of a septic system is now mandatory. And in counties which has homes in the WUI and are on septic, the forest mitigation certificate could be an addendum to the current septic system certification, which is required by the health department at time of sale.</p> <p>As a builder in Jefferson County for almost 30 years, it has always struck me that wildfire mitigation is a matter of public health and welfare, and as such cannot be left to chance. Only if they are</p>

	required to do so, will a homeowner face the task of mitigating his/her own property.
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This bill misses the necessity for fire readiness. Several items are incorrectly addressed.

1. Who will perform the inspection & how are they educated?
2. Overburden on stressed resources at the county/state level
3. Financial burden for those less fortunate
4. Who will check the accuracy of "readiness"?
5. Unnecessarily adds unknown dates to the timeline of a sale (inspection, mitigation, and completion)
6. Negatively impacts those needing a quick sale, the elderly or out of state sellers (heirs)
7. Rural areas will have a greater negative impact due to staffing and resources
8. Who holds escrow and how is it determined the home is ready? Timeline on this process?
9. Who manages escrow and how is it released?
10. What occurs if the required efforts are not complete or incorrect?
11. Who is responsible if the home is deemed mitigated and a fire occurs?
12. Only impacts those who sell, not a community
13. Possibly increases the difficulty of obtaining home insurance
14. Only a process for the sale of a home



**OUTTHINK  
WILDFIRE**  
WILDFIRE ACTION POLICIES



House Transportation, Housing, and Local Government Committee  
Colorado State Legislature

**RE: HB24-1300, A BILL FOR AN ACT CONCERNING WILDFIRE MITIGATION REQUIREMENTS IN CONNECTION WITH THE SALE OF A RESIDENCE**

March 4, 2024

Thank you for the invitation to this important hearing on the subject bill. On behalf of the National Fire Protection Association® (NFPA®), please allow me to provide our perspective on the solutions posed in this bill to the wildfire challenges faced by Coloradans. As a global safety organization, we strongly support this bill, which we believe will reduce wildfire impacts in some of the highest risk areas of Colorado.

I am NFPA's wildfire division director and have worked for the organization on wildfire safety for more than 20 years. NFPA is a self-funded, global non-profit organization dedicated to ending losses from fire, electrical, and related life-safety hazards. Since 2002, we have administered the [Firewise USA® recognition program](#) in partnership with the USDA Forest Service and state forestry organizations.

Firewise USA educates and empowers homeowners in wildfire-prone areas on actions they can take collectively to reduce their risk. As of today in Colorado, there are more than 106,000 people living in 212 actively participating Firewise USA sites across 28 counties. This represents approximately 47,700 homes. However, while voluntary community-wide action to take wildfire risk reduction steps reaps great benefits, the Firewise USA program does not require nor track activity on individual parcels or properties. HB24-1300 would provide a significant boost in awareness and action for property owners to identify and complete the necessary actions to come up to a minimum level of ignition-resistance that could help make the difference in their home surviving a wildfire.

In addition to the voluntary Firewise program, NFPA is dedicated to advancing policies that will serve to significantly increase the adoption of community- and property-level mitigation measures. In 2021, NFPA launched [Outthink Wildfire™](#), an initiative to advance policies in five key areas reduce wildfire risk for millions of Americans. These are:

- Retrofitting all homes at risk from wildfire to improve ignition resistance;
- Ensuring the use of codes and related sound land use planning in all at-risk communities;
- Meeting the needs of the fire service to provide safe and effective response in wildfire events;
- Increasing land management activity to reduce the risk of catastrophic fire; and
- Investing in education so the public understand their role in protecting their homes and communities.

By enacting legislation that would require property owners in areas of known wildfire risk to take protective measures at point of sale, Colorado would lead the way for the nation in making existing homes more resistant to ignition from wildfire's embers and flames. The required home inspection and certification alone would greatly increase residents' understanding of their role in wildfire safety and help prompt them to act. The proposed risk reduction steps in the Colorado State Forest Service's guidance are sound and based on decades of scientific research, models and experiments aimed at understanding how homes ignite and how to increase ignition resistance of homes and other structures. This information is reiterated and reinforced in NFPA's educational material and its consensus standards including [NFPA 1140, Standard for Wildland Fire Protection](#). It is also validated by research conducted by the USDA Forest Service, the US Department of Commerce's National Institute of Standards and Technology (NIST), and by the private sector via the Insurance Institute for Business & Home Safety (IBHS).

The bill calls for increased outreach and technical assistance from the state to the counties and from counties to their residents, coordinating existing programs and guidelines. NFPA resources are also available to support these efforts, including free online training for both homeowners and professionals ([Reducing Wildfire Risk to Property](#)) and a [Wildfire Certified Mitigation Specialist](#) professional credential.

Passage of this bill would go a long way in helping Coloradans lower wildfire risk to homes and to protect firefighters who can more safely respond where those homes have been prepared to reduce the risk of ignition. Thank you again for the invitation to provide testimony on this bill. My colleagues and I appreciate the opportunity to provide these comments in support of HB24-1300.

Sincerely yours,

A handwritten signature in cursive script, reading "Michele Steinberg".

Michele Steinberg  
Director, Wildfire Division