

Senate Local Government & Housing

04/27/2023 Upon Adjournment

HB23-1105 HOA & Metro Dist Homeowners' Rights Task Forces

Typed Text of Testimony Submitted

| Name, Position, Representing | Typed Text of Testimony |
|--|--|
| MArgaret Stafford For themselves | <p>I support this bill as a means to identify and propose HOA reform. I have lived in Cheesman Tower West condominiums, managed by Weststar Management, for the past 2 years; it has been awful. They have been in flagrant violation of aspects of CCIOA for many years. I spent over \$6000 to hire a lawyer to force them to comply with CCIOA that requires the board to allow owners to speak before a vote is taken on a motion. The board and management refused to explore the water leak in the underground garage until I asked if it was time for me to call the city inspectors. That exploration has turned into a huge debacle involving the pool, which has been closed since January 2022. The list goes on and on , and I have no recourse, despite CCIOA. Please address the impunity with which HOA's are currently allowed to act.</p> |
| Karl King For themselves | <p>The nuisances that we brought to the attention of the Greenstone HOA Board of Directors and Faith Property Management since April 2022 have not yet been addressed and solved according to the Greenstone HOA Covenants and ByLaws. The evidence we provided as a whole was ignored, dismissed, or just “pick and choose” method rather than dealing with all of the items. So far, our questions were not answered, dialog was denied, our request for a Case ID number, and request of records according to Colo. Rev. Stat. § 38-33.3-317 Section 38-33.3-317 – Association Records – rules-applicability were ignored. All of our requests were made via USPS Certified Mail multiple times. Mr. Dauster, their attorney, told the HOA Board that they do not need to reply and can ignore our requests.</p> <p>Greenstone HOA and Faith Property Management is violating their own Covenants and Bylaws, threatening us in writing, among other actions with placing a lien upon our property. accordance with the law and preserve the funds of our HOA members that the residents own. We also requested records, invoices, the name of the Insurance Company, Contact Information and such. So far, we have received nothing. The HOA attorney made clear to us that they do not want to have any dialog with us, only with our attorney.</p> |

April 26, 2023

Dear Members of the Senate Local Government and Housing Committee:

I write to submit testimony on HB 23-1105. My interest is in HOA issues.

I have owned my current residence, in a Colorado Springs HOA, for eight years and am in my fourth year as a full-time resident of that community. In the last six years, this 200-unit community has experienced:

- A heated dispute over whether immediate family members of an owner could reside in a unit when the owner was away. This dispute resulted from a board promoting a rental cap without explaining fully how it would be enforced.
- An election dispute involving whether ballots in a vote on amending the Declaration were counted fairly and accurately.
- Frequent spending of association funds by board members without proper board approval or transparency.
- An attempt to amend the Declaration by board vote, without owner approval.
- Placement of a contractor (not an owner) as voting member on a committee, contrary to the governing documents.
- A blatant attempt to overturn election results by denying that quorum was met at an annual meeting, when quorum was easily met.
- A petition to recall five board members.
- Two instances when the whole seven-member board turned over during a period of two months or less, creating serious continuity problems.

That's all in a single HOA with a relatively high socioeconomic and education level (and with professional community management!). As a volunteer on HOA governance issues for CONO (formerly the Council of Neighbors and Organizations), a Colorado Springs nonprofit, I have assisted many other HOA boards and homeowners through similar struggles.

You could say that such events reflect democracy at work, and to some extent you would be right. But HOA-level democracy in Colorado could function better than it does. I find that residents of Colorado Springs generally have better access to—and better responsiveness from—their city government than from their own HOA.

I recognize that change does not come easily. I also recognize that recruiting and educating effective HOA board members is difficult. As an HOA board member and Community Associations Institute (CAI) participant as well as a CONO volunteer, I hear multiple perspectives on the problems of Colorado HOAs. Normally, I would say that a task force is the best way to kick the can down the road. But on this occasion, I tend to agree with those who contend that a task force composed of a broad range of stakeholders may be the best way to achieve meaningful solutions.

I support HB 23-1105 (except that I have had no involvement with and thus no opinion on metro districts) and would be happy to serve on the HOA task force if desired. My public-policy experience includes 20 years of association with a university institute that specialized in representing all sides fairly and building consensus on local and regional issues. I would consider it an honor, though also quite a challenge, to attempt to play a similar role in the Colorado HOA realm.

Colorado reportedly has more than 10,000 HOAs. For our state to thrive, we must improve HOA governance and reduce the widespread perception that a homeowner who purchases a unit in an HOA may be walking into a nightmare.

If I can be useful to you in any way, please do not hesitate to contact me.

Bruce Barron
1086 Fontmore Road, Apartment C
Colorado Springs, CO 80904
bruce.barron0@gmail.com
412-260-8797



HB 23 1105 -senate hearing
Rethea Morris to: committees.lcs.ga

04/19/2023 09:54 AM

Good day,

My name is Rethea Morris. I live in Pinery West in Parker. I live in a HOA.

I am writing today to speak IN FAVOR of HB 23 1105.

My HOA, PINERY RESIDENTIAL HOME OWNERS ASSOCIATION is out of control.

The management company refuses to talk to us about issues if they don't like us.

The do not provide financial information.

They appoint their friends to the board without input to the community.

They recently implemented significant changes to design guidelines without a vote or input from residences.

Rethea



HB 23-1105Maureen Sielaff to: committees.lcs.ga 04/19/2023 05:28 PM

I want to support this bill. We need HOA real reform.
Thank you.

Maureen Sielaff
5930 S Yank Way
Littleton, CO 80127
Ridge at West Meadows.