

Legislation Summary 2022-2025¹

- **HB22-1137 – Homeowners’ Association Board Accountability and Transparency**
 - Requires an HOA to first contact the unit owner regarding the delinquency by, in addition to sending a notice of delinquency to the unit owner by certified mail and by posting a copy of the notice on the unit owner's property, contacting the unit owner by at least one other method of communication, including first-class mail, an e-mail, or a text message. The HOA must keep records of its contacts to the unit owner regarding the delinquency. The unit owner may identify a language other than English in which the unit owner wants the HOA to send all correspondence and notices to the unit owner. The unit owner may also identify another person to serve as a designated contact for the unit owner.
 - Prohibits an HOA, or a property management company acting on behalf of an HOA, from referring the delinquent account to a collection agency or attorney unless a majority of the HOA's board of directors vote to refer the matter on the record at a hearing;
 - Prohibits an HOA from imposing daily late fees or fines and requires the HOA to provide a unit owner a period to cure a violation of any HOA governing documents before the HOA may fine the unit owner and, with respect to a violation that is not a threat to public safety or health, to provide the unit owner 2 30-day periods to cure the violation before the HOA may take legal action against the unit owner, which legal action for unpaid fines cannot include foreclosure. A violation that the HOA reasonably determines is a threat to public safety or health requires only a 72-hour period to cure before the HOA may fine the unit owner.
 - Along with section 3, prohibits an HOA from charging a rate of interest on unpaid assessments, fees, or fines in an amount greater than 8% per year;
 - Requires an HOA, on a monthly basis, to send each unit owner with an outstanding balance owed to the HOA an itemized list of all assessments, fines, fees, and charges owed;
 - Prohibits an HOA from assessing a fee or other charge for providing the unit owner a statement of the total amount that the unit owner owes the HOA;

¹ But for the HB22-1137 summary taken directly from <https://leg.colorado.gov/bills/hb22-1137> on September 29, 2025, the content herein was summarized from Altitude Community Law’s slide presentation handout at August 27, 2025 City of Longmont Neighborhood Leadership Series (NLS) Annual Legislative Update. Contact Amanda K. Ashley, 303-432-9999, aashley@altitude.law or Creekside HOA Board board@creeksideneighborhood.com with questions.

- Requires an HOA to adopt a policy to provide, with a notice of delinquency, information regarding an alleged violation, a description of the steps that the HOA must take before it can take legal action against the unit owner, and a description of the types of legal action that the HOA may take against the unit owner;
- Before an HOA may initiate a foreclosure action against a unit owner, requires that the HOA offer the unit owner a repayment plan to pay the debt in monthly installments in an amount determined by the unit owner so long as installments are in amounts of \$25 or greater, and the unit owner either declines the offer or, after accepting the offer, fails to make at least 3 monthly payments within 15 days after the installments were due; and
- Along with section 6, authorizes a party seeking to enforce rights or responsibilities arising under an HOA's governing documents, in relation to the unit owner's delinquency, to file a claim in small claims court if the amount at issue does not exceed \$7,500 exclusive of interest and costs.
- **HB22-1139 (ROW) – Enforcement on Public Rights-of-Way (amends 38-33.3-106.5 of CCIOA).**
 - Association shall not prohibit, or otherwise specify the manner of, use of a public ROW.
- **HB22-1040 (CA/CE Access) – Access to Common Areas/Common Elements (adds 38-33.3-302.5 to CCIOA).**
 - Association shall preserve and protect Owner's ability to use and enjoy, and shall not unreasonably restrict or prohibit access to or enjoyment of, Common Areas/Elements.
 - Can restrict during maintenance, repair, replacement or modification but only to protect safety of owners and persons conducting same and integrity/condition of same.
 - If closing for more than 72 hours, provide closure explanation notice also posted at access point, ETA for reopening, phone number and email address for questions/concerns.
- **HB22-1314, HB24-1051 (Towing) – Concerning the rights of a person with ownership interest in a vehicle that has been towed from private property with the person's consent.**
 - Applies primarily to towing companies but also impacts owners.
 - Signage must be posted and meet requirements.
 - 24 hour written authorization and notice on windshield required for tows from private property stating vehicle will be towed, for what reason, etc.
 - Immediate towing only if vehicle: 1) received two prior notices for same violation, or 2) blocks driveway or roadway access, or 3) parked in handicap parking space without placard, or 4) parked in fire zone, or 5) parked in someone else's designated parking space, or 6) parked without authorization in a lot marked for exclusive use of residents or invited guests (HB24-1051).

- Cannot tow for expired plates.
- HB24-1051 now 1) requires documented towing permission provided 24 hours prior (form on Public Utilities Commission website), 2) requires no patrolling/monitoring property, 3) updated signage requirements.
- **SB23-178 – Water-Wise Landscaping.**
 - Expands current xeriscaping law.
 - Revises CRS 38-33.3-106.5(1) of CCIOA
 - Clarifies that “old law” subsection (i)(I)(A) does not apply to detached single-family homes, only to attached single-family homes or condos.
 - Clarifies that new (2023) law, subsection (i.5)(I through VI), only applies to detached single-family homes, not to attached single-family homes or condos.
 - Revises CRS 37-60-126 (water conservation statute).
 - Association cannot prohibit xeriscape, nonvegetative turf grass (i.e. artificial turf), or drought-tolerant or nonvegetative landscapes on property “for which a unit owner is responsible” including 1) owned property, 2) limited common element maintained by owner, 3) right-of-way or tree lawn maintained by owner.
 - Association can adopt aesthetic guidelines/rules that
 - apply to (i) drought-tolerant vegetative or nonvegetative landscapes or (ii) vegetable gardens,
 - regulate the type, number and placement of drought-tolerant plantings and hardscapes,
 - must not prohibit nonvegetative turf grass in the backyard,
 - must not unreasonably require use of hardscape in more than 20% of landscape area,
 - allows an option for at least 80% drought-tolerant plantings,
 - must not prohibit vegetable gardens in front, side or back yards.
 - must provide at least 3 preplanned and preapproved compliant water-wise garden designs for installation in front yards, and may include downloadable designs from (i) CSU Extension Plan Select organization or (ii) a municipality, utility, or other entity that creates such garden designs,
 - are posted on Association website.
- **HB23-1233 – Energy Efficiency... (amends 38-33.3-106.8 of CCIOA).**
 - Addresses parking of electric vehicles (Association can’t restrict parking).
 - Must allow installation of EV charging station
 - in unit or on lot,
 - any assigned or deeded space,
 - a parking space accessible to a unit owner and other unit owners.
- **HB24-1337 – HOA Collections.**
 - Sets attorney fee cap on collection matters.
 - Provides for personal judgement first prior to foreclosing.

- Expands requirements prior to foreclosure of lien.
- Allows alternative lienholders (unit owner, tenant, nonprofit housing provider).
- **HB24-1233 – HOA Collections (x2).**
 - Removes posting requirement imposed in 2022.
 - In addition to certified mail, must make contact by two of 1) telephone call (must leave message if no answer), 2) text message, 3) email.
 - Changing under 2025 Bill – excludes time share units.
- **SB24-134 – Home Based Business (amends 38-33.3-106.5 of CCIOA).**
 - Association cannot prohibit home based business at a unit (i) by the owner, or (ii) by a resident having the owner's permission.
 - Association can adopt and enforce reasonable rules and regulations related to (i) architectural control, (ii) parking, (iii) landscaping, (iv) noise, (v) nuisance, or (vi) other matters concerning the operation of a home base business.
 - Must comply with applicable local noise or nuisance ordinances.
- **HB24-1007 – Occupancy Limits.**
 - Prohibits local government from having such limits based on familial relationship.
 - Still allows such limits based on 1) demonstrated health and safety standards (e.g. building code, fire regulations, CO Dept. of Public Health and Environment wastewater and water quality standards), or 2) affordable housing program guidelines.
- **HB24-1091 – Fire Hardened Building Material (amends 3-106.5 of CCIOA)**
 - A covenant, condition or restriction...that explicitly or effectively prohibits or restricts the installation, use or maintenance of such materials is void and unenforceable.
 - Association can adopt standards on re-design, dimensions, placement, or external appearance of fire hardened fencing as long as it adds no more than 10% to the cost.
- **HB24-1152 – Accessory Dwelling Units (“ADUs”).** As it affects Creekside, this legislation holds that
 - The Association cannot prohibit a single-family home from having one and only one ADU on their lot as long as it provides complete independent living, sleeping, eating, cooking, and sanitation facilities.
 - Legislation applies if the Community is within an “ADU supportive jurisdiction” or a “subject jurisdiction” (Creekside is).
 - The Association may adopt restrictions that do not unreasonably increase the cost or otherwise extinguish or prohibit the construction of an ADU.
 - The Association may apply short-term rental limitations.
- **Other Mentioned 2024 Legislation.**
 - **HB24-1108 – Insurance Commissioner Study**

- [HB24-1267](#) – **Metro District Enforcement Policy**
- [HB24-1383](#) – **Property Annexations²**
- [SB24-021](#) – **Small/Limited Expense Communities**
 - Provides some exemptions from CCIOA requirements for such communities.
- [SB24-005](#) – **Water Conservation Requirements for Cities, Counties, Metro Districts**
- [SB24-058](#) – **Landowner Liability Warning Signs**
- [SB24-145](#) – **Unlawful Restrictions in Land Record**
- **Sunset Reviews.**
 - [SB25-184](#) – **Continuation of HOA Information and Resource Center.**
 - Scheduled for repeal on September 1, 2025.
 - Extends.
 - [SB25-175](#) – **Continuation of Towing Task Force.**
 - Set to expire September 1, 2025.
 - Extends to September 1, 2035.
- [HB25-1182](#) **(Insurance) – Tools to Assess Risk for Purpose of Underwriting.**
 - Requirements for insurers in providing information and data on modeling and scoring risk including inclusion of any state-, local-, community-, property-level mitigation actions therein.
- [HB25-1205](#) **(Insurance) – Implementation of Fair Access to Insurance Requirements Plans.**
 - Establishes “FAIR” plan association to provide property insurance coverage of last resort, provided by plan member insurers whose membership is required as a condition of conducting insurance business in CO.
- [HB25-1322](#) **(Insurance) – Provide Copy of Insurance Policy.**
 - Requires insurance carrier make available certified copy of policyholder’s insurance policy within 30 days after written request received by registered agent, with penalties of \$50/day thereafter and any enforcement attorney fees and costs.
- [HB25-1053](#) – **Landowner Immunity from Civil Liability over Access to Property in Connection with Emergency.**
 - Provides landowner civil liability immunity in connection with providing good faith emergency access to property.
- [HB25-1272](#) **(Construction Defect) – Housing/The “Colorado American Dream Act”.**
 - Creates Multi-Family Construction Incentive Program under 13-20-803.3, effective Jan 1, 2026.
 - Additional Construction Defect Action review and claims requirements; affirmative defenses and requirements for Construction Professionals and Insurers.

² Title in the Altitude Law slide, but probably meant to be “Common Interest Community Declarations”.

- **HB25-1043 (Collection/Foreclosure) – Protection of Unit Owners in Relation to Enforcement Actions (among other things it amends 38-33.3-123, 38-33.3-209.5 and 38-33.3-316).**
 - Requires (with strict compliance) that the Association tracks inquiries and complaints and submits an annual report on such.
 - Association must “periodically” request telephone and email information from owners to satisfy contact requirements prior to collection action.
 - New Association notice allowances/requirements including 1) allowing additional notice by Regular Mail if owner has not provided telephone or email address, 2) upon request providing Owner a copy of their Ledger within 7 business days, 3) notice must state that property sale at auction to pay delinquent assessments could result in loss of some or all equity, 4) notice must include availability of, and access instructions to, free online information through the Association.
 - At least 30 days prior to initiating foreclosure legal action, the Association must deliver written (via certified mail) and in at least two other ways (call, text, email, or regular mail in lieu thereof) notice to owner or designated contact any intent to file a lawsuit, sale of property, loss of equity, right to participate in mediation and/or credit counseling (information on the latter made available through the HOA), or other relevant information.
 - Association shall provide written and electronic notice to all lienholders within 5 business days of initiating foreclosure.
 - Owner may file a motion to stay the sale of property with notice of owner intent to sell, which may be granted for nine months and extended with good cause.
 - Effective Jan 1, 2026, Association’s annual DORA registration will require, for the 12 month period prior, the submission of the number of 1) owners six or more months delinquent in current or special assessments, 2) owners the Association obtained a judgement against, 3) payment plans entered into, 4) foreclosure actions filed, 5) any other information required relating to collection and foreclosure.
- **HB25-1117 – Vehicle Immobilization Company Regulation.**
 - Mostly applies to such companies in e.g. “booting”
 - Imposes requirements on owners similar to those for towing.
- **HB25-1077 – Backflow Prevention Devices.**
 - Exempts licensure requirements for individuals inspecting, testing or repairing backflow prevention devices.
- **Other Mentioned 2025 Legislation.**
 - **HB25-1030 – Accessibility Standards at least as stringent as International Building Codes.**
 - **HB25-1113 – Certain Landscaping Practices in New Development.**