

NEPCO, July 11

Many HOAs now exempt from most CCIOA regulations

By Robert L. Swedenburg

State Rep. Terri Carver and homeowners association (HOA) Attorney Lenard Rieth addressed the Northern El Paso County Coalition of Community Associations (NEPCO) membership at its July 11 meeting at the Monument Town Hall. Rieth is an attorney with Anderson, Dude & Lebel, P.C., and is an honorary associate member of NEPCO due to his many years of support to NEPCO and its member HOAs. They reported on the good news that the governor recently signed into law that (1) small HOAs are exempt from Common Community Interest Organization Act (CCIOA) regulations, and (2) under certain conditions HOAs are exempt from HOA management licensing regulations.

When the bill addressing exemptions was being deliberated in the state Legislature, Rep. Carver, supported by Rieth and letters from NEPCO member HOAs, worked diligently to achieve the success of the exemptions, which now eliminate the possibility of increased costs to small HOAs.

CCIOA exemptions

Carver stated that pre-1992, small HOAs now have the same CCIOA regulatory exemptions as post-1992 small HOAs. "Small" HOAs are those that have an annual assessment of \$300 or less per lot or 10 units or less. This law goes into effect Aug. 5. Attorney Rieth stated that the

exemptions allows a single-family subdivision or townhouse HOA (but not condominiums) to be exempt if "the annual average common expense liability of each lot" exclusive of optional user fees and any insurance premiums paid by the HOA does not exceed \$300 per lot per year.

Rieth said the HOA remains subject to Sections 105, 106, and 107 (sections involving fairly minor matters). However, some major CCIOA provisions in Section 106.5 may or may not apply to exempt HOAs (ags, signage, fire protection). He said that exempt small HOAs do not need to register with the HOA Information Office because they are exempt from the registration requirement in Section 401 of CCIOA. Each HOA should review its declaration of covenants to determine whether the assessments (exclusive of insurance) are limited to less than \$300 per lot per year. If there is no limitation, the HOA should consider amending its declaration of covenants to provide one. Rieth emphasized that his remarks are for general information and education and are not intended to provide any legal advice as to any legal matter or legal issue.

Management licensing exemption: Carver stated that under HB 15-1343, volunteer HOA boards that hire independent contractors to do clerical, ministerial, accounting, or maintenance functions are exempt from the manager licensing regulations. There is no size limit for the HOA to qualify for this regulatory exemption from the licens-

ing requirements. She thanked the NEPCO HOAs who sent her letters of support and encouragement during the Legislature's deliberations.

NEPCO currently consists of 35 HOAs with about 7,000 homes.

The next meeting of NEPCO is scheduled for 10 a.m. Saturday, Sept. 12 at the Monument Town Hall. NEPCO can be visited at www.NEPCO.org.

Woodmoor Improvement Association Board of Directors, July 22

Board announces new HOA manager, approves pavilion at the Barn

By Jackie Burhans

At the WIA board meeting on Wednesday, July 22, the board announced the selection of a new homeowners association (HOA) manager, approved plans for building a pavilion at the barn, and geared up for upcoming board elections.

New WIA HOA manager

President Jim Hale announced that the board had selected Denise Cagliaro as the permanent HOA manager. Cagliaro has served as interim HOA manager since the departure of Matt Beseau in April. She had previously served as bookkeeper and Barn rentals administrator for WIA and will lead the search and selection of a new bookkeeper. Cagliaro has until the Dec. 31 provisional license deadline to complete the new mandatory HOA manager licensing required by the Colorado Division of Real Estate.

Pavilion at the Barn plan approved

Common area Director Alan Basset requested and received board approval of a plan to build a new pavilion at the Barn to be located in the center island of the parking lot. The plan has been reviewed by the Architectural Control Committee. Bob Pearsall, Architectural Control administrator, attended the meeting to answer board questions about cost, color, location, and power. Construction is expected to take six to eight weeks. The pavilion will be available to be reserved as an amenity for the residents and for rental.

Gearing up for board elections

President Hale noted that fall will be here soon and the WIA needed to look for board candidates. He said at least three candidates were needed but they prefer to have four to six. The board appointed a nominating committee to seek out candidates.

Other business

- The board unanimously passed a resolution to approve a proposal to build an asphalt parking lot at The Marsh to correct drainage and prevent erosion.
- The board has been working with the Lake Woodmoor Townhomes sub-HOA board to address covenant violations in a timely manner.
- The chipping day on July 18 at Lewis-Palmer Middle School was very successful with 114 loads filling four dumpsters.

The WIA Board of Directors usually meets at 7 p.m. on the fourth Wednesday of each month in the Barn at 1691 Woodmoor Drive, Monument. The next meeting will be on Aug. 26. WIA board meeting minutes can be found at:



Above: On July 18, Woodmoor Improvement Association volunteers and staff and representatives from Tree Beavers helped collect about 140 cubic yards of slash at the WIA chipping day at Lewis-Palmer Middle School. The slash came from people's yards as they did fire fuel mitigation around their homes. Contact WIA at 719-488-2693 ext. 2 Photo courtesy of Woodmoor Improvement Association

<http://www.woodmoor.org/content/admin-bod-meeting-minutes.html> once approved and posted.

Jackie Burhans can be reached at jackieburhans@ocn.me.

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