

HB1133_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

HB16-1133 be amended as follows:

- 1 Amend printed bill, page 3, strike line 1 and substitute "(3) (a)
- 2 introductory portion; and **add** (8.5) and (11) as follows:".

- 3 Page 3, strike lines 4 through 16 and substitute:
- 4 "(3) (a) "Common interest community" has the meaning set forth
- 5 in section 38-33.3-103 (8), C.R.S.; except that, FOR ALL PURPOSES EXCEPT
- 6 THE DISCLOSURE REQUIREMENTS IN SECTION 12-61-1004.5, "common
- 7 interest community" does not include:".

- 8 Page 3, strike lines 21 through 27.

- 9 Strike page 4.

- 10 Page 5, strike lines 1 through 25.

- 11 Renumber succeeding sections accordingly.

- 12 Page 6, strike lines 26 and 27.

- 13 Page 7, strike lines 1 through 10 and substitute:
- 14 "(I) THE RECEIPT MUST INCLUDE:
- 15 (A) A REFERENCE TO THE PORTION OF THE MANAGER'S CONTRACT
- 16 AUTHORIZING THE FEE, ASSESSMENT, OR COLLECTION AND THE LEGAL
- 17 AUTHORITY FOR HOLDING THE UNIT OWNER OR OTHER PARTY RESPONSIBLE
- 18 FOR PAYMENT;
- 19 (B) A STATEMENT THAT THE WORK AND SERVICES BEING BILLED
- 20 HAVE NOT BEEN PREVIOUSLY PAID FOR BY THE UNIT OWNER THROUGH
- 21 HOA DUES AND, IN THE CASE OF AN HOA TRANSFER FEE OR ANY OTHER
- 22 FEE CHARGED IN CONNECTION WITH A CONVEYANCE OF PROPERTY, THAT
- 23 THE CHARGES ARE UNIQUE TO, AND RESULT FROM, THE CONVEYANCE AND
- 24 REPRESENT EXPENSES INCURRED BY THE MANAGER THAT HAVE NOT BEEN
- 25 OTHERWISE PAID AND CANNOT BE CONSIDERED AS PART OF THE STANDARD
- 26 AND ORDINARY SERVICES PROVIDED BY THE MANAGER THROUGH THE
- 27 MANAGER'S CONTRACT WITH THE HOA; THAT SUCH CHARGES ARE NOT
- 28 ALSO BILLED TO OR COLLECTED FROM ANY TITLE COMPANY OR OTHER
- 29 THIRD PARTY; THAT NONE OF THE CHARGES REPRESENT WORK THAT HAS
- 30 BEEN OR WILL BE COMPLETED BY ANOTHER PARTY AND BILLED TO THE
- 31 UNIT OWNER, SUCH AS TITLE AND LIEN SEARCHES; AND THAT ALL CHARGES



- 1 ARE ASSESSED IN COMPLIANCE WITH APPLICABLE STATE AND FEDERAL
- 2 LAWS GOVERNING HOA TRANSFER FEES AND FHA OR HUD LOANS; AND
- 3 (C) DETAILED LINE ITEMS IDENTIFYING THE WORK PERFORMED BY
- 4 TASK AND AMOUNT."

- 5 Page 8, strike lines 22 through 27.

- 6 Strike page 9.

- 7 Page 10, strike lines 1 and 2.

- 8 Renumber succeeding sections accordingly.

- 9 Page 10, line 4, strike "(1) (r), (1) (s), (1) (t), (1) (u)," and substitute "(1)
- 10 (r)".

- 11 Page 10, strike lines 22 through 27.

- 12 Page 11, strike lines 1 through 5 and substitute "~~dealing~~ FAILING TO MAKE
- 13 ANY DISCLOSURE REQUIRED BY SECTION".

- 14 Page 11, line 7, strike "(u)" and substitute "(r)".

- 15 Page 1, line 103, after "DISCLOSURE" insert "AND TRANSPARENCY".

- 16 Page 1, strike lines 105 through 109 and substitute "PROPERTY".

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