

# SUPPORT

## HB26-1145



**COLORADO**  
Department of Public  
Health & Environment

## Mobile Home Park Water Quality

*Sponsors: Representatives Velasco and Phillips and Senator Cutter*

### SUMMARY

Many mobile home parks in Colorado do not have drinking water that is safe to drink and suitable for household use. In 2023, legislation was passed to test and remediate drinking water in the state’s mobile home parks. This proposal would address technical defects and conflicts within the law in order to improve program implementation.

### PROBLEM

House Bill 23-1257 established the Mobile Home Park Water Quality Program in the Colorado Department of Public Health and Environment. Under the program, the department must test the drinking water at all mobile home parks in Colorado by 2028. The testing aims to identify two categories of water quality issues:

Water Quality Issue	
Risk to Health	Risk to Welfare

Water quality risks resident health when the water is considered unsafe to drink. This is because contaminant levels in the water violate primary drinking water standards. Water quality risks resident welfare when contaminants cause poor taste, odor, and discoloration, making the water unusable even though it may be safe to drink. This is often because of high mineral content or hardness levels of the water. The goal of the 2023 legislation was to require mobile home park owners to remediate both types of water quality issues. Unfortunately, the definition of “remediation” in § 25-8-1001(13), C.R.S., includes only the health risk component and not welfare risks. This is important because many water quality issues that residents experience can impact their welfare. For low-income families, this is not just an inconvenience. It is a financial crisis that forces them to rely on expensive bottled water, to replace stained clothing, and to face failure of water heaters and plumbing. During the first 18 months of testing, about 9% of parks show health-related water quality issues and 13% of parks are being evaluated for welfare issues.

In all cases, the law requires park owners to notify the residents of the test results. If park owners refuse to do so, the law’s current enforcement scheme requires that a resident complain to the Department of Local Affairs and then defers enforcement to DOLA, or to CDPHE if a water quality issue is present. This process unfairly burdens residents. Additionally, CDPHE is authorized to issue penalties to park owners for violations of the law that escalate if the noncompliance continues. However, a technical defect in the law gives park owners a free month to remain noncompliant. This discrepancy is unfair to owners who address compliance issues in a timely manner. Finally, the law prohibits park owners from passing on the cost of remediation to park residents. In cases where owners are also park residents, it is unclear whether the resident owners are allowed to bear this cost.

### SOLUTION

- Revise the definition of “remediation” to include resolution of water quality issues that risk resident welfare.
- Authorize CDPHE to enforce the requirement to provide resident notice, without a complaint first being filed.
- Clarify that monthly monetary penalties begin accruing on the first month of noncompliance.
- Clarify that park residents who are also a park owner may bear the cost of remediation.