

NEW DORA Registration for HOAs - January 15, 2011

Colorado House Bill 10-1278 enacted the HOA Information Office and Resource Center under the Department of Regulatory Agencies (DORA) Division of Real Estate. Per DORA, the purpose of the Center is “to provide information on the rights and duties of homeowners and associations under the Colorado Common Interest Ownership Act.” They explain that the Office is responsible for tracking inquiries and complaints.

The Bill originally required all HOAs register by December 31, 2010. However, a delay in the readiness of the registration software results in an effective **extension to March 1, 2011**.

Registration is imperative by this date, or penalties will ensue. Register now at <https://www.dora.state.co.us/pls/hoa/HOA.logon>.

Q. Who must register?

A. All HOAs must register, with the exception of volunteer associations, and those that were enacted pre-CCIOA and have not elected treatment under CCIOA.

Q. What does it cost?

A. The fee is \$8.93 per association. However, associations with less than \$5000 in revenues, or those who are not authorized to levy assessments and do not have any revenue, are exempt from this fee, but not necessarily exempt from registration.

Q. What are the penalties for not registering?

A. An HOA will be precluded from enforcing a lien in civil court, and civil proceedings may be suspended while they are non-compliant. In other words, the HOA will not be permitted to foreclose on its statutory liens, and will not be able to enforce a superlien without registration. As well, it may not be able to enforce restrictions in its declarations or rules, and may not recover its legal costs in a lawsuit resolved in their favor.

Q. How do I register?

A. Go to <https://www.dora.state.co.us/pls/hoa/HOA.logon>. If you have never registered an HOA, you will have to set up your account, first. In this case, choose HOA Contact Registration in the left navigation pane and complete the forms. Then, register individual HOAs by selecting “Register HOA” in left navigation pane. Complete the information requested. Please note that you will need the HOAs Secretary of State ID number, and the date that the declarations were first recorded to complete the registration.

Q. Where do I get the Secretary of State ID number?

A. Go to the Colorado Secretary of State's web site at <http://www.sos.state.co.us/>. Choose "...search the business database" under "Let us help you..." in the middle of the home page. Type a portion of the HOAs name in the search box and "Search". Note the ID number in the first column of the HOA listing. This is the number you need.

Q. Where do I get the date the HOAs declarations were first recorded?

A. If you have a recorded copy of the declarations in your files, refer to these. You will see the date they were recorded stamped on the first page, along with other recording information, usually in the top-right corner. If you do not have the recorded copy, you can find this information by accessing your county's records. Use a search engine to search "Larimer County," for example. Follow the menu items to find property information, usually filed under the Public Records portion of the site.

Q. Can I mail in my registration?

A. No, all registrations and payments must be made online.

Q. What does the Office do for my HOA?

A. The office has been established legislatively for one year. Its current focus is to obtain a listing of all HOAs in the state, and to track inquiries and complaints relating to HOAs. The HOA Information Officer, Mr. Aaron Acker, will prepare an annual report regarding the number and types of such inquiries and complaints received throughout the year. The office will not investigate or take any action on the complaints, will not provide dispute resolution services, and will not give legal advice. We expect the legislature to reevaluate the office after one year, and determine its future based on the information-gathering accomplished this year.