

# 2024 Saw the Enactment of Numerous New Housing and HOA Laws

The Colorado General Assembly passed and Gov. Polis signed many new laws regarding housing and how HOAs can operate. Here are some new laws that caught my attention:

**HB24-1152: Concerning Increasing the Number of Accessory Dwelling Units** — This law prohibits jurisdictions or HOAs in a metropolitan area from unreasonably restricting the construction of ADUs in single-family neighborhoods. It also prohibits the requirement that an owner occupy the ADU or the primary residence, and it prohibits requiring additional off-street parking if there is sufficient existing parking, including on-street parking. (Those are two current requirements of many jurisdictions' ADU ordinances.) Affected jurisdictions are given until June 30, 2025, to submit a report to the state's Department of Local Affairs demonstrating that they have complied with the law and that they have implemented one or more strategies to *encourage and facilitate* the construction or conversion of ADUs.

**HB24-1091: Concerning Prohibiting Restrictions on the Use of Fire-Hardened Building Materials** — This law generally prohibits covenants and other restrictions that

disallow the installation, use, or maintenance of fire-hardened building materials in homes, including by HOAs. However, the law allows an HOA to develop *reasonable* standards regarding the design, dimensions, placement, or external appearance of fire-hardened materials used for fencing within the community.

**HB24-1007: Concerning Residential Occupancy Limits** — The act prohibits counties and municipalities from limiting the number of people who may live together in a single dwelling based on familial relationship, while allowing local governments to implement residential occupancy limits based only on demonstrated health and safety standards, fire code regulations, etc.; or on local, state, federal, or political subdivision affordable housing program guidelines.

**HB24-1173: Streamlining the Process for Permitting Electric Vehicle Charging Systems** — This law requires the Colorado Energy Office to publish by March 31, 2025, a *model code* for the installation of EV charging systems in counties over 20,000 population or municipalities over 10,000 population. The office must also provide technical assistance to counties or

municipalities for the implementation of an *expedited permitting process*.

**HB24-1233: Homeowners' Association Delinquency Payments Enforcement Procedures** — This law amends HB22-1137, which said that notices of delinquency must be posted on the unit's door. Under this law, the HOA must send a *certified letter* to the unit owner and *employ two other methods* (phone call/voicemail, text message, or email) and must communicate in the preferred language of the unit owner and copy a designated contact on the notice.

**HB24-1337: Real Property Owner Unit Association Collections** — This law limits the reimbursement amount which an HOA can charge for attorney fees to \$5,000 or *50% of the original money owed* when it takes *collection* action against a unit owner. For *failure to obey the bylaws or rules* of the association, the reimbursement for attorney fees is limited to \$5,000 or 50% of the *actual costs*. The law also limits the ability of an HOA to foreclose on the unit, and provides for redemption by the unit owner and others, including the tenant, within 180 days *after* a foreclosure sale.

**SB24-005: Prohibit Landscaping Practices for Water Conservation** — To conserve water used for irrigation, this law, effective Jan. 1, 2026, prohibits local governments from allowing the installation, planting, or placement of nonfunctional

turf, artificial turf, or invasive plant species on commercial, institutional, or industrial property, association property, or a street right-of-way, parking lot, median, or transportation corridor. Artificial turf for athletic fields is *not* banned, however.

**SB24-058: Landowner Liability Recreational Use Warning Signs** — This law allows the owner of land with recreational access to protect himself or herself from liability for off-trail injury or death by posting a sign at the common entrance to the property. The prescribed size, location and wording of the sign is included in the bill.

**SB24-134: Operation of a Home-Based Businesses** — This law allows a unit owner (or tenant, with the unit owner's permission) to operate a home-based business in a unit owner's unit. An HOA may no longer seek to enforce any covenant or restriction that would prohibit a unit owner from operating a home-based business. The operation of a home-based business must still comply with any applicable and *reasonable* unit owners association rules or regulations related to architectural control, parking, landscaping, noise, nuisance, and other matters that may impact fellow HOA members. The operation of a home-based business must also comply with municipal and county noise and nuisance ordinances or resolutions.

The posting of this article at <http://RealEstateToday.substack.com> includes links for each of these laws.



## Megan's Market Snapshot: Sept. 25-Oct. 1

By Megan Aller  
First American Title

Here are some key takeaways from the market activity during the 7-day period from Sept. 25th to Oct. 1st:

**Denver metro area inventory appears to be stabilizing**, with steady buyer activity, signaling a sense of balance in the market as we move from September into October.

Buyers who have been waiting for better market conditions are now finding more options available. Sellers are increasingly open to negotiating, making repairs, offering concessions, and accepting contingent offers to get deals done. This creates an excellent opportunity for buyers to take advantage of the increased negotiating power they currently hold, which may shift if rates drop and competition intensifies.

**The number of active listings remained consistent** compared to the prior seven-day period, though inventory is much higher than it

was at this time last year.

**New listings increased** both week over week and compared to the same period last year, while "coming soon" listings have dipped slightly. **Pending transactions stayed fairly flat**, and the market's supply of inventory has held steady.

**The odds of selling rose** but remain below the historical average from prior years, reflecting ongoing market dynamics.

**Showings decreased slightly** from the previous 7-day period but are up compared to last year. **Homes are spending more time on the market**, allowing buyers more time to make informed decisions.

There was an **increase in price reductions**, with a larger percentage of homes lowering their prices before going under contract. **The size of these price reductions has also increased.**

*REcolorado, the MLS serving Denver and beyond, is the data source for this article.*

## Development Site Listed by Austin Pottorff

Currently a greenhouse operation, these parcels at 52nd Ave. & Indiana St. have two addresses. The smaller parcel is **14780 W. 52nd Ave.**, and the larger one is **5150 Indiana St.** Together they total over 12½ acres. The land is zoned agricultural, with a single family home, several outbuildings and a commercial well. They are in unincorporated Jefferson County. Current zoning allows for several uses, or the purchaser may choose to rezone to highest and best use. Downtown Golden, Jefferson County Government, and the Colorado School of Mines are just over five miles away. Learn more at [www.GRElistings.com](http://www.GRElistings.com).



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