

Section Clause #1 - Sample Provision Excerpt (Public Preview)

BYLAWS
(As Amended)
of
SADDLEBACK MOUNTAIN HOMEOWNERS ASSOCIATION,
A COLORADO NONPROFIT CORPORATION
Effective Date - January 19, 2012

ISSUE #1 These bylaws replace and supersede all previous bylaws, in their entirety, regarding the Association and Saddleback Ridge Estates First, Second, Third and Fourth Filings, as amended.)

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Enforcement provisions omit the mandatory HB 22-1137 certified mail notice, two 30-day cure periods, and \$500 fine cap for non-health/safety violations under C.R.S. § 38-33.3-209.5(1.7) - (2).
Statutory / Legal Reference: C.R.S. § 38-33.3-209.5(1.7) - (2) (HB 22-1137)
Statutory Comparison: Under C.R.S. § 38-33.3-209.5(1.7) - (2), an association may not fine a unit owner or refer a covenant violation to an attorney unless it complies with the mandatory certified mail notice, two 30-day cure windows (or 72-hour cure window for public health/safety threats), and \$500 total fine cap enacted by HB 22-1137.

CURRENT WORDING IN DOCUMENT:
BYLAWS (As Amended) of SADDLEBACK MOUNTAIN HOMEOWNERS ASSOCIATION, A COLORADO NONPROFIT CORPORATION Effective Date - January 19, 2012 (These Bylaws replace and supersede all previous bylaws, in their entirety, regarding the Association and Saddleback Ridge Estates First, Second, Third and Fourth Filings, as amended.)

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
For any covenant violation that does not threaten public health or safety, the Association shall send notice by certified mail, return receipt requested, granting two (2) consecutive thirty (30) day cure periods, and total fines for the violation shall not exceed Five Hundred Dollars (\$500.00).