

Homefront

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### Legislation

#### Direct access

New Colorado legislation is aiming to strengthen homeowners' rights by requiring association boards to be more transparent.

The state law, which went into effect on Jan. 1, now obligates board members to provide their e-mail addresses to residents so they can have direct access to the board. The state is recommending board members create an e-mail address specifically for association-related correspondence so that it doesn't get mixed in with personal and work e-mail. The law also requires that boards make e-mails regarding association business and decisions available to residents and potentially courts for inspection in the event of litigation.

"I think the fear (prior to this legislation) was that boards were hiding behind the management company and that everything had to be funneled through management. Requiring boards to disclose their e-mail addresses is not unreasonable," says attorney David Firmin, a partner with HindmanSanchez in Colorado.

The law also granted more privacy to homeowners. Associations aren't allowed to distribute owners' personal information, such as e-mail addresses, phone numbers, social security numbers and driver's license numbers. Firmin says that could cause unintentional problems as associations can no longer share member directories. Hopefully, he says, the law will be amended to allow owners a chance to opt-in.

Other key issues the new law undertakes is identifying and releasing association records. It clarifies what documents specifically constitute an association record and outlines which records must be made available to owners for inspection.

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