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HOA Advisory: Registration Changes Pursuant to Section 38-33.3-401, C.R.S.

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Note



COLORADO
Department of
Regulatory Agencies
Division of Real Estate



HOA Center Advisory

Registration Changes Pursuant to
Section 38-33.3-401, C.R.S.

**This advisory is the first of two in an important series of
HOA Advisories related to the effects of HB25-1043.**

Effective October 1, 2025, important changes will be implemented for annual registrations of Common Interest Communities in Colorado.

Section 38-33.3-401, C.R.S. of the Colorado Common Interest Ownership Act ("CCIOA") states that every unit owners' association in Colorado must register with the Division of Real Estate and renew on a yearly basis. This registration allows the association to enforce a lien for assessments, or to pursue an action, or employ an enforcement mechanism.

In the 2025 General Assembly, the Colorado legislature passed, and the Governor signed HB25-1043. HB25-1043 is commonly referred to as the "Owner Equity Protection in Homeowners' Association Foreclosure Sales" bill. Among other things, this new law requires associations to submit additional information as part of the registration process.

Previously, the HOA Center has directed registrants to be prepared with the following information when initially registering or renewing an existing registration. Those requirements include the following:

1. Legal name of the association as shown with the Colorado Secretary of State's records,
2. Address of the association,
3. Colorado Secretary of State ID number, Date of Incorporation, and Type of Entity (i.e., corporation, LLC) for the association,
4. Type of community (i.e., condominium, planned development, or cooperative) for the association,
5. Number of units located in the community,
6. Whether the association is self-managed or professionally managed,
7. Designated Agent name, address, telephone number, and email address, and
8. Whether the annual revenue collected by the association is more or less than \$5000.00.

In light of HB25-1043, those responsible for registration are required to provide answers to several new questions:

1. In the 12 months immediately preceding the registration or renewal, the number of unit owners that were, at any time during the 12-month period, 6 or more calendar months delinquent in the payment of assessments or special assessments.
2. For the 12-month period immediately preceding the registration or renewal, for unpaid annual assessments or special assessments or related fees or attorney fees, the number of unit owners against which the association or its designee obtained a judgment

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3. For the 12-month period immediately preceding the registration or renewal, for unpaid annual assessments or special assessments or related fees or attorney fees, the number of payment plans entered into between the association and a unit owner pursuant to section 38-33.3-316.3, C.R.S.
4. For the 12-month period immediately preceding the registration or renewal, for unpaid annual assessments or special assessments or related fees or attorney fees, the number of foreclosure actions filed against unit owners pursuant to section 38-33.3-316, C.R.S.

To improve data quality and reporting, the HOA Center also requests the following additional information for all initial registrations and renewals on and after October 1, 2025:

1. The number of board positions identified in your association's governing documents.
2. The number of vacant board positions on the date of the registration.
3. The current average assessments in your community.
4. The frequency by which assessments are due in your community (e.g. monthly, quarterly, semi-annually, annually, etc.).
5. For the 12-month period immediately preceding the registration or renewal, the percentage change in assessments.
6. For the 12-month period immediately preceding the registration or renewal, identify the number of payment plans offered by the association.
7. For the 12-month period immediately preceding the registration or renewal, identify the number of unit owners on payment plans who satisfied the terms and/or conditions of their payment plan.
8. For the 12-month period immediately preceding the registration or renewal, identify the total amount of late fees and interest collected as a percentage of total revenue.
9. For the 12-month period immediately preceding the registration or renewal, identify the total amount of late fees and interest assessed and waived as a result of a payment plan.

These important changes will help the HOA Center collect information that will be reflected in future annual reports. Being prepared with this information before registering or renewing will save you time and make the registration process run more smoothly.

For more detailed information on association registration, please visit the recently updated HOA Center's Registration Services Help Page:

Before contacting the HOA Center for assistance, you may consider using this link to search the Division's registration database: [Division of Real Estate Licensee Lookup](#) (use the "Business Name/DBA" search field) to determine if the HOA you are looking for has already been registered or already has contact information included in the registration database.

-Colorado HOA Information and Resource Center

On behalf of the HOA Center Information & Resource Center and the Division of Real Estate, thank you for reviewing this important HOA advisory.



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