

Colorado Legislative Action Committee (CLAC)

Strategic Planning Notes - September 29, 2011

1660 Lincoln Street - 2nd Floor Conference Room

Call to order - 1:03 PM - Chair Molly Foley-Healy

Attendance - Members/Delegates

Bobb, Andrea Cowell, Jim Flippen, Jim Foley-Healy, Molly Graff, David	Hoehn, Robert Kerrane, Jeff Kutzer, Jeff Leff, Suzanne Orten, Jerry	Otto, Chad Pacetti, Chris Tobey, Gary Wilderotter, Pat
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Guests

Aponte, Ruth: Aponte & Busam Public Affairs
Redfern, Amy: Aponte & Busam Public Affairs
Fortin, Andrew: Community Associations Institute
Williams, Rep. Angela: Colorado General Assembly

Call to order: Chair Molly Foley-Healy called the meeting to order at 1:20 PM.

ITEMS OF BUSINESS: Several items were discussed as part of the Strategic Planning Session:

INTRODUCTION OF REP. ANGELA WILLIAMS: Molly Foley-Healy introduced Rep. Williams, the sponsor of HB11-1124 (Concerning Conflicts of Interest of Executive Board Members) and CAI's Legislator of the Year. Rep. Williams joined the strategic planning session to speak about the bills that she plans to introduce during the 2012 legislative session. She will focus on governance issues, which may include addressing meeting notices and opportunities to give input at meetings. She is also working on a bill related to Public Trustee foreclosures.

FORECAST OF 2012 SESSION: Amy Redfern provided an overview of areas that CLAC members can expect to see in bills introduced in 2012. Those areas include cleanup of the HOA Information Office legislation, governance issues such as records inspection and transparency, and other issues identified in the forthcoming report from the HOA Information Office at DORA.

WELCOME TO NEW DELEGATES: Jeff Kutzer extended a welcome to our two newest delegates, Chad Otto and Jeff Kerrane. Chad will serve as a Rocky Mountain Chapter delegate on the CLAC. He is past President of Grant Ranch Homeowners Association and currently serves on the Rocky Mountain Chapter Board. Jeff Kerrane will serve as a Southern Colorado Chapter delegate. Jeff is an attorney at Benson & Associates.

UPDATE ON MANAGER LICENSING: Chris Pacetti gave a report on the status of the sunrise application for manager licensing. The Manager Licensure committee met with Ruth Aponte, Amy Redfern, and Chuck Montero of Sigler Communications earlier today. A draft sunrise application is expected by October 21st. The anticipated fees for this process are \$15,000 for the application process with DORA and another \$10,000 for lobbying if legislation is introduced. The committee worked with the Rocky Mountain Chapter Board to get approval

for a public relations budget related to this process. Molly Foley-Healy reminded delegates that this process has not yet gone public and is not intended to be publicized until after the application is ready to go. The messaging and public relations strategies are critical in this process. In addition to Sigler's help, Andrew Fortin of CAI National will assist with preparing FAQs about manager licensing.

ANDREW FORTIN - CAI NATIONAL REPORT: Andrew Fortin provided delegates with an update on federal legislation and issues emerging across the States.

Manager Licensing. Seven states are looking at pursuing manager licensing next year: Colorado, Maryland, Michigan, New Jersey, North Carolina, South Carolina, and Washington. Andrew reminded us to be careful about semantics around licensing versus credentialing or certification of managers. The proposals under consideration in Colorado look more like certification.

Mortgage Market. CAI National continues to address three main issues related to the mortgage market.

Transfer Fees - FHFA. The revised regulations carve-out community associations and address our industry's concerns; however, that draft remains "on the shelf" with no clear date for introduction and approval.

FHA Certifications. New guidance was issued on June 30, 2011, that addresses community association concerns around rental restrictions and affordable housing. CAI provides updated information on FHA guidelines at caimortgagematters.org.

Qualified Residential Mortgages (QRM) and Qualified Mortgages (QM) - Regulations. CAI National is working to address things like the delinquent payment qualifications under QRM regulations and the ability to pay criteria in the QM regulations.

OPEN DISCUSSION: Delegates discussed Rep. Williams' presentation, ideas concerning potential legislation that addresses meeting notice requirements, state and federal super lien questions, and topics to place on the agenda for the next meeting, which may include financial topics such as the super lien, junior lienor redemption rights, and issues related to association reserves. In closing comments, Molly Foley-Healy recapped the priorities for the 2012 legislative session as (1) working with Rep. Williams on the community association bill that she anticipated introducing; and (2) possible legislation concerning manager licensing/credentialing.

Next meeting: The next meeting is scheduled for November 3, 2011.

Adjournment: There being no further business to come before the meeting, the meeting was adjourned at 4 PM, Friday, September 29, 2011.

Respectfully submitted,

Suzanne M. Leff, Secretary

CLAC MEMBER/DELEGATE ATTENDANCE RECORDS

Member Meeting	11.12.10	1.21.11	2.11.11	3.11.11	4.8.11	6.24.11	8.25.11	9.29.11
Bobb, Andrea	X	Exc	Exc	X	X	Exc	X	X
Cowell, Jim	X	Exc	X	X	X	X	X	X
Flippen, Jim	NA	NA	X	X	X	X	X	X
Foley-Healy, Molly	Exc	X	X	Exc	X	X	X	X
Goff, Pam	X	X	X	X	Exc	Exc	X	Exc
Graf, David	X	Exc	X	X	X	X	X	X
Hoehn, Robert	X	X	X	X	X	X	X	X
Jordan, Lynn	X	X	X	Exc	X	X	X	Exc
Kutzer, Jeff	X	X	Exc	X	X	X	X	X
Leff, Suzanne	X	X	X	X	X	X	X	X
Lukasik, Walt	X	Exc	X	X		X	Exc	Exc
Orten, Jerry	Exc	X	Exc	X	X	X	Exc	X
Pacetti, Chris	X	X	X	X	Exc	X	X	X
Taylor, Carol	X	X	X	Exc	X	X	X	Exc
Tobey, Gary	X	X	X	X	Exc		X	X
Wilderotter, Pat	X	X	X	X	X	X	X	X
Witt, Jesse	X	X	X		X			

Attendance Policy: A LAC delegate who has three consecutive unexcused absences (as determined by the LAC's officers) from LAC meetings may be removed by a majority vote of the LAC at a meeting where a quorum is present provided the LAC chair notified the delegate and his or her chapter, if applicable, in writing following the delegate's second excused absence that a third consecutive absence may result in the delegate's removal.