

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

March 18, 2014  
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB14-1254 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 2, strike lines 4 and 5 and substitute:

2           **"12-61-1004.5. Fees and charges for contracted services and**  
3 **home sales - disclosure required.** (1) EVERY MANAGER, AND EVERY  
4 AGENT OR OTHER".

5 Page 2, strike line 17 and substitute:

6           "(2) (a) NEITHER A MANAGER NOR ANY AGENT OF A MANAGER  
7 MAY ENFORCE ANY FEE OR CHARGE, INCLUDING A TRANSFER FEE, AGAINST  
8 THE HOA OR ANY BUYER OR SELLER OF PROPERTY SERVED BY THE HOA  
9 UNLESS THE FEE OR CHARGE IS:

10           (I) EXPLICITLY DISCLOSED IN THE MANAGER'S CONTRACT WITH THE  
11 HOA OR AN ADDENDUM TO THE CONTRACT; OR

12           (II) DOCUMENTED BY A CLEARLY IDENTIFIED LINE ITEM.

13           (3) IN ADDITION TO MAKING THE DISCLOSURES REQUIRED UNDER  
14 SUBSECTIONS (1) AND (2) OF THIS SECTION, A MANAGER SHALL DISCLOSE  
15 TO THE EXECUTIVE BOARD ALL".

16 Page 2, line 21, strike "COMMUNITY. THE" and substitute "COMMUNITY.  
17 (4) THE".

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