

**DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
COMMUNITY ASSOCIATION MANAGERS
4 CCR 725-7**

EMERGENCY RULE

A RULES – LICENSE QUALIFICATIONS, APPLICATIONS & EXAMINATIONS

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Director of Real Estate to promulgate rules, or to amend, repeal or repeal and re-enact the present rules related to community association managers.

- Section 1. Statement of Basis and Authority
- Section 2. Scope and Purpose
- Section 3. Applicability
- Section 4. A Rules – License qualifications, applications & examinations
- Section 5. Effective Date

Section 1. Statement of Basis and Authority

The statutory basis for the rules titled Rules Regarding Community Association Managers is Part 10 of Title 12, Article 61, Colorado Revised Statutes, as amended.

Section 2. Scope and Purpose

The Director of the Division of Real Estate ("Director") finds that immediate adoption of this emergency rule is imperatively necessary to comply with state law, including §§ 12-61-1001, C.R.S., et seq. (the "Act") and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest.

In 2013, the General Assembly enacted House Bill 13-1277, which requires licensing for anyone who engages in certain defined activities of a "community association manager" relating to the management of a common interest community. Individuals needing to be licensed must do so by July 1, 2015. As a result of the passage of HB 15-1343, which modifies the Act by redefining the licensed activities of a community association manager, it is imperatively necessary that the Director promulgate rules pertaining to the requirements needed for licensure on an emergency basis.

The purpose of this emergency rule is to ensure compliance with §§ 12-61-1001, C.R.S., et seq., and is to effectuate the legislative directive to promulgate necessary and appropriate rules for the implementation of part 10 of Title 12, Article 61.

The specific purpose of the emergency rules is to promulgate rules pertaining to the education, testing and licensing requirements needed for licensure.

Without the immediate adoption of the emergency rules, the public's interest is not served. Wherefore, pursuant to § 24-4-103(6), C.R.S., the Director has stated needs to adopt these emergency rules.

Section 3. Applicability

The emergency rules govern community association managers who are subject to the requirements of Part 10 of Title 12, Article 61 of the Colorado Revised Statutes.

Proposed New, Amended and Repealed Rules

[Deleted material shown ~~struck through~~, new material shown ALL CAPS. Rules, or portions of rules, which are unaffected are reproduced. Readers are advised to obtain a copy of the complete rules of the Director at www.dora.colorado.gov/dre

Section 4. A RULES: LICENSE QUALIFICATION, APPLICATIONS & EXAMINATIONS

A-1) Definitions.

The following definitions are applicable to all rules in these Director rules:

- 1) The "Act" or the "Community Association Managers Practice Act" means §§ 12-61-1001, et seq., C.R.S.
- 2) "Community Association Manager" or "CAM" or "Manager" has the meaning set forth in § 12-61-1001(4)(5), C.R.S.
- 3) "Licensee" means any person or entity licensed as a Community Association Manager OR AN APPRENTICE pursuant to the Act.
- 4) ~~"Community Association Management Company" or "CAM company" means any entity, including but not limited to a firm, partnership, limited liability company, association, or corporation, that meets the definition of a Community Association Manager in § 12-61-1001(4)(5), C.R.S., or applies to the Division to become a Community Association Manager.~~
- 5) ~~"Designated manager" means an individual who is designated to be a qualified active manager for a Community Association Management Company, qualified to act as a community association manager, and who is responsible for management and supervision of the licensed actions of the company and all persons employed by, or acting at any time on behalf of, the company and who is personally responsible for the handling of any and all common interest community funds received or disbursed by the company pursuant to § 12-61-1003(6)(b) and (7), C.R.S. HAS THE MEANING SET FORTH IN § 12-61-1001(5.5), C.R.S.~~
- 6) "Applicant" means any person or entity applying for licensure as a Community Association Manager under the Act.
- 7) "License" means any license issued by the Director or the Division pursuant to the Act.
- 8) "Director rules" means any and all rules issued by the Director pursuant to the Act, including but not limited to Community Association Manager Rules A, B, C, D, E, F, G, and H.

9) "APPRENTICE" HAS THE MEANING SET FORTH IN § 12-61-1001(1), C.R.S.

A-5) Community Association Manager license examination expiration and application requirements.

The CAM license examination is made up of two parts, a general portion and a ~~state~~ COLORADO LAW portion. ~~If an AN applicant HOLDING A CREDENTIAL PURSUANT TO § 12-61-1003(5)(A)(I)(D), C.R.S., MUST SIT FOR AND SUCCESSFULLY PASS BOTH PORTIONS OF THE EXAMINATION. IF THE APPLICANT fails one or both parts of the examination, the applicant may retake the failed portion(s). A passing score for either part of the examination is valid for one year only. IF AN APPLICANT HOLDS A CREDENTIAL PURSUANT TO § 12-61-1003(5)(A)(I)(A),(B), OR (C), C.R.S., AND HAS MAINTAINED SAID CREDENTIAL IN GOOD STANDING, SUCH APPLICANT NEED ONLY SIT FOR AND SUCCESSFULLY PASS THE COLORADO LAW PORTION OF THE EXAMINATION. IF THE APPLICANT FAILS THE COLORADO LAW PORTION, THE APPLICANT MAY RETAKE THE FAILED PORTION. An application received by the Division must be accompanied by the statutory fee, proof of completion of the required credential and proof of successful completion of both THE REQUIRED portions PORTION(S) of the examination within the year prior to the application being received by the Division. No examination score for either portion of the examination will be considered valid after one year.~~

A-7) License processing time frames.

Provided that an applicant has submitted a complete and satisfactory application in compliance with §§ 12-61-1002, - 1003, C.R.S., and the Director rules, the Director will issue a license within 10 business days after receipt by the Director of satisfactory results from the fingerprint-based criminal history record check. If the application or record check is not complete or satisfactory, the applicant will be notified that their license application has been deferred pending receipt of required compliance item(s). The application for a CAM license that has been approved by the Director subject to the receipt of certain compliance items will be issued on an inactive status until all compliance items have been received by the Director. No activities requiring a license may be performed while the license is on inactive status.

A-8) Applicants who have held a community association manager license in another jurisdiction.

In lieu of the qualifying education credential requirements found in Rule A-3, an applicant who has held a community association manager license in another jurisdiction, as set forth in § 12-61-1003(5)(d), C.R.S., may submit a "certification of licensing history" issued by each jurisdiction where the applicant is currently or was previously licensed as a community association manager. The license history must be submitted prior to sitting for the examination, along with a complete and satisfactory application in accordance with the Director rules. The Director will issue a license within 10 business days after receipt by the Director of satisfactory

results from the fingerprint-based criminal history record check, and a determination by the Director that the applicant has established they possess the credentials and qualifications substantively equivalent to the requirements for Colorado licensure. Within 30 calendar days after issuance of the CAM license, the applicant must complete successfully, and provide the Director proof of successful completion, of the state portion of the examination. Failure to provide the Director with proof of successful completion of the ~~state~~ COLORADO LAW portion of the examination in the prescribed timeframe will result in the license being placed on inactive status and no activities requiring a license may be performed.

A-9) Applicant with previous suspension or revocation of a community association manager license or certification.

Pursuant to § 12-61-1003(3)(b), C.R.S., an applicant who has held a community association manager license, APPRENTICE LICENSE, PROVISIONAL LICENSE or certification that has been suspended or revoked in Colorado or in any other jurisdiction that regulates community association managers within the last 10 years, with at least 2 years having elapsed since the date of that suspension or revocation, must file prior to or with their application for licensing the following information and documents:

- 1) A written and signed personal explanation and detailed account of the facts and circumstances surrounding each suspension or revocation;
- 2) The completed Community Association Manager application addendum form found on the Division's website;
- 3) Results of any hearing(s), and copies of the official reports of the suspension and revocation from the jurisdiction where any such suspension or revocation took place;
- 4) If the applicant is to be employed under a designated manager licensee, then that designated manager must submit a letter stating that he or she is aware of the specific suspension(s) or revocation(s) and has agreed to employ the applicant; and
- 5) Any other documentation requested by the Director.

A-11) Preliminary advisory opinion.

At any time prior to submission of a formal application for licensure, a person may request that the Director issue a preliminary advisory opinion regarding the potential effect that previous conduct, license and certification suspension(s) or revocation(s), criminal conviction(s), or violation(s) of community association law, may have on a formal application for licensure ("PAO"). A PAO may be issued by the Director in his or her sole discretion, in order to provide preliminary advisory guidance.

- 1) Potential applicants may request a PAO for any of the following reasons:
 - a) If the individual has been convicted of, plead guilty or nolo contendere to any crime in a domestic, foreign or military court;
 - b) If the individual has held a Community Association Manager license, APPRENTICE LICENSE, PROVISIONAL LICENSE or certification that has been suspended or revoked within the last 10 years;

- c) If the individual has had other professional licenses, certifications or registrations issued by Colorado, the District of Columbia, any other states or foreign countries, revoked or suspended for fraud, theft, deceit, material misrepresentations or the breach of a fiduciary duty and such suspension or revocation denied authorization to practice as: a mortgage loan originator or similar license; real estate broker; real estate appraiser; an insurance producer; an attorney; a securities broker-dealer; a securities sales representative; an investment advisor; or an investment advisor representative; or
- d) Any other conduct that would impact the public trust.
- e) Individuals requesting a PAO must complete the preliminary advisory opinion application located on the Division of Real Estate's website.
- f) Individuals requesting a PAO must submit all relevant documents related to any conduct or actions as set forth herein. Incomplete requests will not be processed. The Director may, at any time, request additional information regarding the PAO request. Such relevant or related documents may include, but are not limited to:
 - a) Police officer reports;
 - b) Dispositions documents;
 - c) Court documents;
 - d) Original charges documents;
 - e) Stipulated agreements; or
 - f) Final agency orders.
- g) Individuals requesting a PAO must submit a written and signed personal explanation and detailed account of the facts and circumstances.
- h) Any PAO will not be binding on the Director or limit the Director's authority to investigate a future formal application for licensure.
- i) An individual seeking a PAO is not an applicant for licensure and the issuance of an unfavorable opinion will not prevent such individual from making application for licensure pursuant to the Act and the Director rules.
- j) No PAO will be considered final agency action. PAO's are not subject to appeal or judicial review.

A-16) APPRENTICE APPLICATION AND LICENSE REQUIREMENTS.

AN APPLICANT FOR AN APPRENTICE LICENSE MUST SUBMIT A SET OF FINGERPRINTS FOR THE PURPOSE OF A CRIMINAL HISTORY CHECK AS PRESCRIBED IN RULE A-12 AND SUBMIT A COMPLETE LICENSE APPLICATION AS PRESCRIBED IN THESE DIRECTOR RULES.

A-17) PROVISIONAL APPLICATION AND LICENSE REQUIREMENTS.

AN APPLICANT FOR A PROVISIONAL LICENSE MUST SUBMIT A SET OF FINGERPRINTS FOR THE PURPOSE OF A CRIMINAL HISTORY CHECK AS PRESCRIBED IN RULE A-12, MUST HOLD A QUALIFYING EDUCATIONAL CREDENTIAL AS PRESCRIBED IN RULE A-3,

MUST HAVE SAT FOR AND NOT SUCCESSFULLY PASSED THE REQUIRED PORTION(S) OF THE COMMUNITY ASSOCIATION MANAGER EXAMINATION AS PRESCRIBED IN RULE A-5 AND SUBMIT A COMPLETE LICENSE APPLICATION AS PRESCRIBED IN THESE DIRECTOR RULES.

Section 5. Effective Date

This emergency rule is effective May 21, 2015.

**DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
COMMUNITY ASSOCIATION MANAGERS
4 CCR 725-7**

EMERGENCY RULE

B RULES – CONTINUING EDUCATION

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Director of Real Estate to promulgate rules, or to amend, repeal or repeal and re-enact the present rules related to community association managers.

- Section 1. Statement of Basis and Authority
- Section 2. Scope and Purpose
- Section 3. Applicability
- Section 4. B Rules – Continuing education
- Section 5. Effective Date

Section 1. Statement of Basis and Authority

The statutory basis for the rules titled Rules Regarding Community Association Managers is Part 10 of Title 12, Article 61, Colorado Revised Statutes, as amended.

Section 2. Scope and Purpose

The Director of the Division of Real Estate ("Director") finds that immediate adoption of this emergency rule is imperatively necessary to comply with state law, including §§ 12-61-1001, C.R.S., et seq. (the "Act") and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest.

In 2013, the General Assembly enacted House Bill 13-1277, which requires licensing for anyone who engages in certain defined activities of a "community association manager" relating to the management of a common interest community. Individuals needing to be licensed must do so by July 1, 2015. As a result of the passage of HB 15-1343, which modifies the Act by redefining the licensed activities of a community association manager, it is imperatively necessary that the Director promulgate rules pertaining to the requirements needed for licensure on an emergency basis.

The purpose of this emergency rule is to ensure compliance with §§ 12-61-1001, C.R.S., et seq., and is to effectuate the legislative directive to promulgate necessary and appropriate rules for the implementation of part 10 of Title 12, Article 61.

The specific purpose of the emergency rules is to promulgate rules with respect to the requirements of continuing education of a community association manager.

Without the immediate adoption of the emergency rules, the public's interest is not served. Wherefore, pursuant to § 24-4-103(6), C.R.S., the Director has stated needs to adopt these emergency rules.

Section 3. Applicability

The emergency rules govern community association managers who are subject to the requirements of Part 10 of Title 12, Article 61 of the Colorado Revised Statutes.

Proposed New, Amended and Repealed Rules

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Section 4. B RULES: CONTINUING EDUCATION

B-2) Methods of completing continuing education.

A licensed CAM may satisfy the entire continuing education requirement through one of the following options:

- 1) Complete 8 hours of continuing education courses in approved subjects as prescribed in Rule B-3; or
- 2) Successfully pass the Colorado ~~state~~ LAW portion of the CAM examination.

Section 5. Effective Date

This emergency rule is effective May 21, 2015.

**DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
COMMUNITY ASSOCIATION MANAGERS
4 CCR 725-7**

EMERGENCY RULE

C RULES – LICENSING - OFFICE

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Director of Real Estate to promulgate rules, or to amend, repeal or repeal and re-enact the present rules related to community association managers.

- Section 1. Statement of Basis and Authority
- Section 2. Scope and Purpose
- Section 3. Applicability
- Section 4. C Rules – Licensing - Office
- Section 5. Effective Date

Section 1. Statement of Basis and Authority

The statutory basis for the rules titled Rules Regarding Community Association Managers is Part 10 of Title 12, Article 61, Colorado Revised Statutes, as amended.

Section 2. Scope and Purpose

The Director of the Division of Real Estate ("Director") finds that immediate adoption of this emergency rule is imperatively necessary to comply with state law, including §§ 12-61-1001, C.R.S., et seq. (the "Act") and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest.

In 2013, the General Assembly enacted House Bill 13-1277, which requires licensing for anyone who engages in certain defined activities of a "community association manager" relating to the management of a common interest community. Individuals needing to be licensed must do so by July 1, 2015. As a result of the passage of HB 15-1343, which modifies the Act by redefining the licensed activities of a community association manager, it is imperatively necessary that the Director promulgate rules pertaining to the requirements needed for licensure on an emergency basis.

The purpose of this emergency rule is to ensure compliance with §§ 12-61-1001, C.R.S., et seq., and is to effectuate the legislative directive to promulgate necessary and appropriate rules for the implementation of part 10 of Title 12, Article 61.

The specific purpose of the emergency rules is to promulgate rules pertaining to the licensing of the community association management company requirements needed for licensure.

Without the immediate adoption of the emergency rules, the public's interest is not served. Wherefore, pursuant to § 24-4-103(6), C.R.S., the Director has stated needs to adopt these emergency rules.

Section 3. Applicability

The emergency rules govern community association managers who are subject to the requirements of Part 10 of Title 12, Article 61 of the Colorado Revised Statutes.

Proposed New, Amended and Repealed Rules

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Section 4. C RULES: LICENSING - OFFICE

C-4) Individuals employed by a community association management company, OR sole proprietorship, ~~or a common interest community.~~

Any CAM company, OR licensed sole proprietorship, ~~or common interest community~~ that employs individuals who perform activities requiring a CAM license pursuant to § 12-61-1001(3)(5), C.R.S., must designate and maintain a ~~qualified active~~ Designated Manager. NO INDIVIDUAL HOLDING AN APPRENTICE OR A PROVISIONAL LICENSE MAY BE DESIGNATED AS THE DESIGNATED MANAGER.

C-14) Inactive license.

A CAM license may be issued while on inactive status. No activities requiring a license may be performed while a CAM license is on inactive status.

Section 5. Effective Date

This emergency rule is effective May 21, 2015.

**DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
COMMUNITY ASSOCIATION MANAGERS
4 CCR 725-7**

EMERGENCY RULE

**D RULES – RENEWAL, TRANSFER, INACTIVE LICENSE, REINSTATEMENT &
INSURANCE**

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Director of Real Estate to promulgate rules, or to amend, repeal or repeal and re-enact the present rules related to community association managers.

- Section 1. Statement of Basis and Authority
- Section 2. Scope and Purpose
- Section 3. Applicability
- Section 4. D Rules – Renewal, transfer, inactive license, reinstatement & insurance
- Section 5. Effective Date

Section 1. Statement of Basis and Authority

The statutory basis for the rules titled Rules Regarding Community Association Managers is Part 10 of Title 12, Article 61, Colorado Revised Statutes, as amended.

Section 2. Scope and Purpose

The Director of the Division of Real Estate (“Director”) finds that immediate adoption of this emergency rule is imperatively necessary to comply with state law, including §§ 12-61-1001, C.R.S., et seq. (the “Act”) and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest.

In 2013, the General Assembly enacted House Bill 13-1277, which requires licensing for anyone who engages in certain defined activities of a “community association manager” relating to the management of a common interest community. Individuals needing to be licensed must do so by July 1, 2015. As a result of the passage of HB 15-1343, which modifies the Act by redefining the licensed activities of a community association manager, it is imperatively necessary that the Director promulgate rules pertaining to the requirements needed for licensure on an emergency basis.

The purpose of this emergency rule is to ensure compliance with §§ 12-61-1001, C.R.S., et seq., and is to effectuate the legislative directive to promulgate necessary and appropriate rules for the implementation of part 10 of Title 12, Article 61.

The specific purpose of the emergency rules is to promulgate rules pertaining to the renewal, transfer, inactive and reinstatement requirements of a license.

Without the immediate adoption of the emergency rules, the public's interest is not served. Wherefore, pursuant to § 24-4-103(6), C.R.S., the Director has stated needs to adopt these emergency rules.

Section 3. Applicability

The emergency rules govern community association managers who are subject to the requirements of Part 10 of Title 12, Article 61 of the Colorado Revised Statutes.

Proposed New, Amended and Repealed Rules

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Section 4. D RULES: RENEWAL, TRANSFER, INACTIVE LICENSE, REINSTATEMENT & INSURANCE

D-1) Initial license renewal.

- 1) An initial CAM license will be issued for a period commencing on the issuance date and expiring on June 30th following the date of issuance.
- 2) AN APPRENTICE LICENSE WILL BE ISSUED ONLY FOR A PERIOD COMMENCING ON THE ISSUANCE DATE AND EXPRIRING ONE (1) YEAR FOLLOWING THE DATE OF ISSUANCE. AN APPRENTICE LICENSE IS NON-RENEWABLE.
- 3) A PROVISIONAL LICENSE WILL BE ISSUED ONLY FOR A PERIOD COMMENCING ON THE ISSUANCE DATE AND EXPIRING ON DECEMBER 31, 2015. NO PROVISIONAL LICENSE WILL BE ISSUED AFTER DECEMBER 31, 2015.

Section 5. Effective Date

This emergency rule is effective May 21, 2015.

**DEPARTMENT OF REGULATORY AGENCIES
DIVISION OF REAL ESTATE
COMMUNITY ASSOCIATION MANAGERS
4 CCR 725-7**

EMERGENCY RULE

F RULES – PROFESSIONAL STANDARDS - INVESTIGATIONS

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of emergency rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Director of Real Estate to promulgate rules, or to amend, repeal or repeal and re-enact the present rules related to community association managers.

- Section 1. Statement of Basis and Authority
- Section 2. Scope and Purpose
- Section 3. Applicability
- Section 4. F Rules – Professional Standards - Investigations
- Section 5. Effective Date

Section 1. Statement of Basis and Authority

The statutory basis for the rules titled Rules Regarding Community Association Managers is Part 10 of Title 12, Article 61, Colorado Revised Statutes, as amended.

Section 2. Scope and Purpose

The Director of the Division of Real Estate ("Director") finds that immediate adoption of this emergency rule is imperatively necessary to comply with state law, including §§ 12-61-1001, C.R.S., et seq. (the "Act") and that compliance with the rulemaking requirements of § 24-4-103, C.R.S., applicable to non-emergency rules, would be contrary to the public interest.

In 2013, the General Assembly enacted House Bill 13-1277, which requires licensing for anyone who engages in certain defined activities of a "community association manager" relating to the management of a common interest community. Individuals needing to be licensed must do so by July 1, 2015. As a result of the passage of HB 15-1343, which modifies the Act by redefining the licensed activities of a community association manager, it is imperatively necessary that the Director promulgate rules pertaining to the requirements needed for licensure on an emergency basis.

The purpose of this emergency rule is to ensure compliance with §§ 12-61-1001, C.R.S., et seq., and is to effectuate the legislative directive to promulgate necessary and appropriate rules for the implementation of part 10 of Title 12, Article 61.

The specific purpose of the emergency rules is to promulgate rules with respect to the requirements of professional standards of a community association manager license.

Without the immediate adoption of the emergency rules, the public's interest is not served. Wherefore, pursuant to § 24-4-103(6), C.R.S., the Director has stated needs to adopt these emergency rules.

Section 3. Applicability

The emergency rules govern community association managers who are subject to the requirements of Part 10 of Title 12, Article 61 of the Colorado Revised Statutes.

Proposed New, Amended and Repealed Rules

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Section 4. F RULES – PROFESSIONAL STANDARDS - INVESTIGATIONS

F-3) Licensee must respond to complaint or audit notice in writing.

When a GAM licensee has received written notification from the Director, or a representative of the Director, that: (1) a complaint has been filed against the licensee, (2) the licensee has been selected for an audit, or (3) that an audit has identified record keeping or trust account deficiencies, such licensee must submit a written response to the Director. Failure to submit a written response within the time set by the Director in its notification will be grounds for disciplinary action unless the Director has granted an extension of time for the response in writing. This is true regardless of whether the underlying complaint warrants further investigation or subsequent action by the Director. The GAM's LICENSEE'S written response must contain the following:

- 1) A complete and specific response to the factual recitations, allegations or claims made in the complaint filed against the licensee, whether made by a member of the public, on the Director's own motion or by an authorized representative of the Director;
- 2) A complete and specific response to any additional questions, allegations or claims presented in the notification letter;
- 3) Any documents or records requested in the notification letter; and
- 4) Any further information relative to the complaint that the licensee believes to be relevant or material to the matters addressed in the notification letter.

F-4) Immediate notification of conviction, plea or violation required.

A GAM LICENSEE must notify the Director in writing pursuant to § 12-61-1010(1)(j), C.R.S., within 30 calendar days of any of the following:

- 1) A plea of guilty, a plea of nolo contendere or a conviction of any crime identified in § 12-61-1010(1)(i), C.R.S.
- 2) A violation or aiding and abetting in the violation of the Colorado or Federal Fair Housing Laws.

- 3) Any disciplinary action taken against the CAM in any other jurisdiction, if the CAM's action(s) would constitute a violation of the community association manager licensing law in Colorado.
- 4) Any practice restrictions as set forth in § 12-61-1010(1)(o) and (p), C.R.S.

F-5) Community association manager maintaining current contact information and all information required for licensing.

Each ~~CAM~~ LICENSEE must maintain all current contact information and all information required for licensing, in a manner acceptable to the Director, which will be included in the Division of Real Estate database.

- 1) ~~CAM~~ LICENSEE contact information must include, but is not limited to:
 - a) E-mail address, if applicable;
 - b) Legal first, middle and last names;
 - c) Physical home address;
 - d) Home phone number;
 - e) Physical business address;
 - f) Business phone number; and
 - g) Business name.
- 2) Information required for licensing includes, but is not limited to:
 - a) Errors and omissions insurance provider;
 - b) Errors and omissions policy number;
 - c) Errors and omissions effective and expiration dates;
 - d) Crime fidelity insurance provider;
 - e) Crime fidelity policy number; and
 - f) Crime fidelity insurance effective and expiration dates.
- 3) Within 30 calendar days of any changes, individuals required to be licensed ~~as a CAM~~ must update the Director with any changes to the information defined in this rule in a manner prescribed by the Director.

F-7) Designated manager responsibilities.

Designated managers' responsibilities include, but are not limited to, the following:

- 1) Maintaining all bank accounts and accounting records for any managed common interest communities.
- 2) Providing reasonable supervision over the licensed activities of all employees.
- 3) Taking reasonable steps to ensure that violations of statutes and the Director rules do not occur or reoccur.
- 4) Taking reasonable steps to ensure a ~~licensed CAM~~ LICENSEE responds to any notices from the Director or its designee.
- 5) Providing supervision of licensed activities for all offices operated by the CAM company.

F-10) License revoked, expired, suspended or inactivated.

Upon suspension, revocation, expiration or inactivation of a ~~CAM~~ license, the licensee is responsible for immediate compliance with the following:

- 1) Cease any activities requiring a CAM license.
- 2) Return the license to the Director. If the individual is a designated manager, inform all employed licensees of the change in license status and the effect of such change on the license status of those licensees.
- 3) Cease all advertising, including, but not limited to, the use of signage, newspapers, magazines, internet, and direct mailings.
- 4) Inform all common interest communities they are managing that their CAM license has expired, or has been suspended, revoked or inactivated, pursuant to § 38-33.3-402, C.R.S., not later than 5 business days after any such expiration, suspension, revocation or inactivation.
- 5) Inform the common interest community and its executive board of the action taken and the impact that the change in license status will have on the common interest community, if any.
- 6) In the case of a designated manager who is being replaced by a new designated manager, the departing designated manager must properly account for and transfer all entrusted funds to the new designated manager, and provide all records and documents related to management services to the new designated manager.
- 7) In the case of a designated manager who will not be replaced and the licensed CAM company will be dissolved, the designated manager is responsible for an accounting of all funds and for making all final disbursements. The CAM COMPANY is responsible for maintaining all records for 3 years.
- 8) Fees earned prior to the suspension, revocation, expiration or inactivation may be retained by the licensee.
- 9) Pursuant to § 38-33.3-402, C.R.S., any agreement by a common interest community to pay a fee for the services of a CAM or to hold harmless or indemnify the CAM for any act or omission in the course of providing those services is void and unenforceable for any period in which the CAM's license is expired, suspended, revoked or inactivated. This would not apply, however, if a CAM company had a licensed designated manager or additional licensed CAM within its company, whose license is in full force and effect, and who is providing the management services for the common interest community pursuant to a management agreement.

Section 5. Effective Date

This emergency rule is effective May 21, 2015.