

## OOHOA Forum 2023-09-13 Observations

Author: John C Dean, 2023-09-14

These are my observations, others may have interpreted the meeting differently.

1. Other than the Board members present at the Forum there was no support from the homeowners for going forward with the Proposed Changes to the Governing Documents.
2. This Forum was not a homeowner meeting as defined by the Governing Documents and no votes were taken.
3. The Board's Attorney did a reasonable job of fairly presenting the HOA law as she understood it and appeared to be knowledgeable.
4. The Board and Board's Attorney both finally acknowledge that there are no changes required to our documents to continue operating as a HOA as we have for the past many decades. The Attorney also admitted that there are many major provisions in HOA law that protect homeowners that were omitted from the documents. For example Colorado limits the amount of fines that HOA's may assess against homeowners, but that language was missing from the proposed changes.
5. There were calls to stop the voting, but the attorney explained that once the mail out voting process was started, it could not be stopped, recalled or modified. The voting had to run its course which was limited by statute to 2 months. That is where the October 23 2023 due date for all ballots comes from.
6. So far 30 ballots have been returned. My understanding is that the ballots will not be opened or counted until the October 23, 2023 date has passed. At present only 30 ballots have been returned. Since the Board is comprised of 9 members and the Governance Committee is comprised of 4 (aprox) non-Board members, that probably comprised 13 of the 30 ballots. So there may be 17 to 20 ballots from individual homeowners that have been cast.
7. They need 81 votes to pass the proposed changes. Given the tenor of the Forum, that appears highly unlikely.
8. Everyone that wanted to speak was recognized. Not everyone was able to make all of their points, there just was not enough time.
9. The meeting started at 7pm and ended at 9pm as scheduled. There was talk of scheduling another meeting to discuss points that could not be raised in the time allotted and to more fully discuss some of the points that were raised.
10. There were repeated statements from the floor that the changes presented in the proposed documents should be addressed through single issue voting at the annual meeting and not in this kind of omnibus take it or leave it fundamental document revisions.

11. One of the objections that say 80-90% of the homeowners attending appeared to agree on was that the right of foreclosure should be eliminated. No one wanted any part of foreclosing on a homeowner's property.