

Manager Licensing vs. Voluntary Certification

Opponents of House Bill 1212 have suggested that voluntary certification will accomplish the same goals of protecting homeowners and elevating the business of community management that licensing will. The chart below shows how voluntary licensing will provide very little protection to homeowners.

	HB 1212	Voluntary Certification L.010
Background Check	Finger printed background check is required. Cannot: <ul style="list-style-type: none"> - Have had a license or certification revoked or suspended in Colorado or another state in the past 10 years - Have been convicted of a crime related to the duties of a manager or place a resident or the public in a vulnerable position. This includes unlawful sexual behavior, burglary, Felony fraud, theft, larceny, embezzlement, fraudulent conversion, or misappropriation of property. 	None
Manager Education Requirements	Must be 18 years of age, have a high school diploma or GED, and be certified by a qualified program with 24 credits of education as deemed by the Director, including national programs endorsed by Community Association Managers International Certification Board or Community Associations Institute as currently used by the Director.	Not required -Voluntarily can complete 30 hrs of coursework on specified subjects
Exam Requirements	Required to pass an exam with two separate portions to measure competency and a section to ensure understanding of Colorado law.	Not required - Can voluntarily take and pass a knowledge, skills and aptitude exam or achieve a national certification
Continuing Education	Required 8 hours annually of continuing education, classes approved by DORA	Not required – If manager seeks voluntary certification some continuing ed may happen
Fee Disclosure	Required to disclose all management and transfer fees to the HOA Board	Not required unless the manager elects to seek voluntary certification
Insurance	Must maintain Errors and Omissions Insurance and Fidelity Insurance	Not required for managers; burden of insurance passed on to homeowners
Record of Licensees	Public list published by DORA for homeowners to easily reference	No list will exist
Enforcement	Enforceable offences: <ul style="list-style-type: none"> - Misrepresentation or false/misleading advertising - Making promises not intended to keep - Violating Federal Fair Housing laws - Violating CCIOA - Failing to account for or remit monies, mishandling monies - Demonstrated unworthiness or incompetency - Failing to reasonably supervise employees - Failing to make full disclosure of fees - Lying to obtain a license - Being compensated without revealing it to an employer - Having a license, registration or certification revoked by Colorado - Dishonest dealing Enforcement can include: cease & desist orders, censure, fines up to \$2,500, suspend or revoke a license, referral to judicial system	Any enforcement would be by private civil action or through a deceptive trades criminal action as received through a 'hotline'. There is no provision for enforcement of substantive violations of the CCIOA either.