



CAPITOL CONNECTION

A brief weekly update from the Colorado Association
of REALTORS® Government Affairs Division

Dear Member,

Clarification on National Energy Legislation

CAR has received numerous emails over the past week with regard to energy labeling requirements within the American Clean Energy Act. As a matter of clarification, the onerous labeling requirements for existing homes and buildings were removed from the bill when it was in the House thanks to an amendment ran by one of Colorado's own, Congressman Ed Perlmutter. The bill is currently in the U.S. Senate. [NAR Update](#)

On to State Issues...

CAR Legislation Headed to Governor's Office

HB1288 - Commercial Real Estate Brokers' Commission Security Act by Rep. B.J. Nikkel (R-Loveland) and Sen. Suzanne Williams (D-Aurora) - received final approval from the legislature on Monday, April 5 and is headed to the Governor's office. CAR has issued a *Call for Action* urging the Governor's support. If you have yet to respond, please [Take Action Now!](#)

Rent Control Update

As introduced, HB 1017 by Rep. Daniel Kagan (D-Englewood) and Sen. Betty Boyd (D-Lakewood) sought to expand the scope of voluntary agreements between municipalities and private developers for affordable housing units beyond what is afforded under current law.

The bill was recently amended to clarify that the legislation involves only voluntary agreements between a property owner and a local government and that an application for a development permit may not be denied if the applicant declines to enter into an agreement to limit rent on their property.

Although CAR still believes legislation to permit voluntary agreements is unnecessary, we are pleased with the amendments. CAR will continue to monitor any efforts to impose involuntary forms of rent control and will protect the property owner's right to freely own, preserve and convey their property.

State Budget Update

Much of the discussion over the past several weeks at the legislature has been directed at the Annual budget (also known as the Long Bill). Although fewer amendments have been made to this year's version than has been the case in previous years, the development of the \$18.2 billion budget for Fiscal Year 2010-11 has been a long and painful process - several sobering economic forecasts along the way forced the Joint Budget Committee to look for additional cuts prior to introducing the bill into the legislature.

Although federal stimulus funds have helped to ease the pain from sharp revenue decreases, Colorado will face additional shortfalls in FY 2011-12 as those dollars begin to run out.

Mortgage Company Registration Bill is Amended

Following the placement of Colorado Division of Real Estate (DRE) Director Erin Toll onto administrative leave, and her subsequent whistleblower complaint, a House bill was amended in the

Senate to modify the duties of the Division Director's office.

HB 1141 - Mortgage Company Registration by Speaker Terrance Carroll (D-Denver) and Sen. Lois Tochtrop (D-Thornton) - was amended to place the decision-making for the Division of Real Estate's finances, rule-making, and investigation and discipline of mortgage brokers under a five-person board and the Executive Director of the Department of Regulatory Agencies. Those duties have been at sole discretion of the DRE Director since the regulation of mortgage brokers was implemented two years ago. The proposed board would be comprised of three industry representatives and two consumer advocates.

The bill is still awaiting final approval in the Senate.

Interested in what is happening at the Federal level?

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