



# CAPITOL CONNECTION

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

Dear Member,

## ***NAR Issues Call for Action***

NAR has launched a Call for Action to all REALTORS® regarding the National Flood Insurance Program and the Section 502 Rural Housing Program. When Congress adjourned without acting on these programs, the program authority for the NFIP expired on March 28. Additionally, lenders have stopped accepting applications for the Section 502 rural housing program, which is expected to exhaust its commitment authority by the end of the month.

If you have yet to respond, please [Take Action Now!](#)

## ***Amendments to the Foreclosure Protection Act headed to the Governor***

HB 1133, CAR's legislative proposal that seeks to make positive changes to the Colorado Foreclosure Protection Act, is headed to the Governor's office.

Among the proposed changes: clarifying the definition of "Equity Purchaser;" exempting transactions that use the Short Sale Addendum; modifying the definition of a "Residence in Foreclosure" as it pertains to the Equity Purchaser provisions of the Act; and modifying the requirement to use the native language of non-English speaking home owners in the Foreclosure Contract to Buy and Sell.

These amendments are a result of collaboration between the Colorado Association of REALTORS®, the Attorney General's office, Division of Real Estate, Public Trustees, and various real estate attorneys. CAR believes these changes will provide sellers the protections they need, while eliminating the chilling effect the Act has had on many potential transactions of distressed properties.

If signed by the Governor, many changes will take effect as soon as August 2010, while those requiring form changes will take place in January 2011. CAR will provide additional information if they become law. We would also like to extend a special thank you to Rep. Tom Massey (R-Poncha Springs) for sponsoring this bill and help guide it through the legislature.

[More Information on HB 1133](#)

## ***Water Rights Initiatives Filed***

As reported a few weeks ago, following a wildly contentious battle that pitted rafting rights against property rights, HB 1188 - Clarify River Outfitter Navigation Right by Rep. Kathleen Curry (I-Gunnison) and Sen. Mary Hodge (D-Brighton) was changed to a study.

Under the amended version of the bill, the Colorado Water Congress is charged with studying the legal, economic, environmental, and law enforcement issues related to boating through private property – their report will be due to the legislature on October, 31.

Advocates on both sides of the issues have filed a combined 24 ballot initiatives a week ago to seek their preferred resolution at the ballot box. In order to appear on the ballot in November, proponents must submit 76,047 valid signatures to the Secretary of State by July 12.

CAR was opposed to HB 1188 over concerns that the bill would infringe upon private property rights

without just compensation.

**Erin Toll**

Colorado Real Estate Division Director Erin Toll filed a whistleblower complaint late last week against Department of Regulatory Agencies Executive Director Barbara Kelley after she was placed on involuntary administrative leave. Toll believes she was placed on leave in retaliation for revealing information that was requested under the Colorado Open Records Act, which revealed that a state lawmaker was under investigation in his job as a mortgage broker, and that she may be fired for doing so.

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