

JEFFERSON COUNTY PUBLIC TRUSTEE

POLICY REGARDING CURE OR REDEMPTION RIGHTS UNDER HOA LIENS

The Jefferson County Public Trustee will need the following information and documentation from persons or entities filing a Notice of Intent to Cure or a Notice of Intent to Redeem on a Homeowners Association lien (or assignment of such HOA lien):

- An affidavit from an authorized representative or officer of the HOA that includes the following statements and information:
 1. Identifies the person who is signing the affidavit
 2. States that the person signing the affidavit represents the HOA
 3. A true and exact copy of the recorded Declaration of Covenants including any amendments is attached and the provisions of CCOIA apply
 4. An attachment of an itemized statement of the unpaid assessments, fines charges, late charges, attorney fee and interest due through the end of the first redemption period
 3. States that the Association's total lien amount has two separate priorities. A portion of the Association total lien amount is a super priority lien pursuant to 38-33.3-316 (2) (b) (I) and that amount is \$_____
 4. The remaining portion of the Association's lien, which is junior to the interest being foreclosed in Jefferson County Public Trustee Sale No. J_____, equals \$_____
 5. The amounts stated for the junior and senior portion of the lien must equal the amounts listed in the itemized statement or report
- Colorado Secretary of State Certificate of Good Standing confirming that the HOA is incorporated or organized as a limited liability company
- The original, a certified copy, or a copy from a qualified holder of the recorded lien if one was filed
- A copy of the recorded Declaration of Covenants

The Public Trustee needs to receive evidence sufficient to establish that a portion or all of the HOA lien is entitled to cure or redemption rights according to law (38-38-104 and 38-38-302, C.R.S.). The filer may claim ONLY the junior lien portion of the HOA lien on the Notice of Intent to Cure or Notice of Intent to Redeem.

DATED: April 23 2014

Margaret Chapman, Jefferson County Public Trustee