

Castle Valley Ranch

Frequently Asked Questions (FAQ)

GENERAL QUESTIONS:

Q. What are the responsibilities of the Board of Directors?

A. The Homeowner's Association (HOA) Board meets on a bi-monthly schedule to handle HOA business. A primary job duty of the Board is the interpretation and enforcement of the covenants. The Board discusses current covenant violations, actions and settlements. The Board directs the property manager as to procedures for handling covenant issues. The Board also solicits property owner input and addresses concerns about matters within Castle Valley Ranch (CVR). The Board also develops an annual budget.

Q. Are there laws that the HOA must follow?

A. Yes, as a quasi governmental organization, Colorado Revised Statutes provide direction as to how HOA's conduct business. Those statutes are found in § 38-33 .3-101. CRS and collectively are known as the "Colorado Common Interest Ownership Act". With the help of the HOA's attorney and the property manager, the CVR HOA stays in compliance with these laws.

Q. Why does the HOA need an attorney?

A. Given the general nature of HOA management, the involvement of state laws in our process, the complicated nature of covenant enforcement and penalties, the historical evolution of CVR HOA, as well as the need to ensure that all residents are treated fairly and within the law, the Board constantly checks with our attorney on these matters. Since covenant enforcement, if taken to the extreme, can involve the filing of liens on a property or court actions, they must be handled by an attorney. The Board is cautious about involving our attorney since it is expensive and we want to work with residents outside of the legal arena to resolve our problems but there are times when this is necessary.

Q. I live in Filing 1 and since the HOA didn't exist when I moved here, I don't think I have to belong to the HOA. Is this correct?

A. The Board has heard several residents question this and asked our legal counsel for their opinion. Even though the HOA was dormant until 2000, it did exist. The declarant took the necessary legal steps to include Filing 1 in the revived HOA in 2000.

Consequently, even Filing 1 homeowners are members of the HOA. The entire letter from the HOA attorney can be viewed by using this link

Q. What are the “policies and procedures” that the Board uses?

A. While the Board has always tried to be fair and consistent in our interactions with residents, in 2006 the State Legislature required that all HOA’s develop policies and procedures to detail how they handle 1) covenant enforcement and fines, 2) conduct of meetings, 3) collection policy, 4) adoption of rules, 5) inspection of records, 6) conflict of interest and 7) investment of reserve funds. public streets and driveways within CVR. Unlicensed cars may not be parked on public streets and complaints should be directed to the Town. Unlicensed cars parked in the driveway or licensed cars having major repairs done on them, should be in compliance with the covenants. Residents with issues that need further clarification should contact RE/MAX Country at 970.984.9600 for more information.

Q. How does the Board handle snowmobiles, ATV’s, trailers, etc that are parked on the street or in the driveways?

A. While we know that many CVR residents have these recreational vehicles, they are required to be parked in the garage, in the backyard behind a fence or off site.

Q. Why doesn’t the Board build a storage area that residents can use to park all these things that you don’t want in CVR?

A. First, it’s not that we don’t want them in CVR; it’s just that we need them to be stored properly to address neighborhood concerns about having to look at them all the time as well as what that does to property values in the development. The Board has heard this idea several times. In the early days of CVR, it was envisioned to have such a place across Elk Creek Road but that was not approved. Since then, there were a couple discussions about trying to locate it within CVR but there is simply no land within CVR that is available to do so. Any land for this would have to be either donated by the developer or purchased by the HOA. The HOA determined that we did not want to use general HOA funds to develop a facility that would not be used by everyone. We also decided that we were not in the business of operating a storage facility and all the costs to purchase, develop, operate and insure it could easily overwhelm our bank accounts. There are private storage facilities in the area that residents are encouraged to use. We have also spoken with the Town

about the need for such a place – potentially on the south side of the Colorado River west of the I-70 exit – and have asked them to pursue such possibilities if they arise.

DESIGN REVIEW/ARCHITECTURAL CONTROL QUESTIONS

Q. What kind of alterations do homeowners need to get approval for?

A. From the HOA Covenants (Article VIII, Section 1):

No structure or any attachment to an existing structure, landscaping, any building, fences, walls, canopies, awnings, roofs, exterior lighting facilities, athletic facility (excluding unobtrusive basketball hoops, temporary badminton nets, horseshoe pits if screened from view and the like) or other similar improvement or attachment shall be constructed, erected, placed or installed upon the Property and no alteration of the material or appearance (including color) of the exterior of a residence or other structure shall be made, and no change in the final grade of any lot shall be performed, unless copies of plans and specifications therefore (together “Plans) showing exterior design, height, colors, materials, location of the structure or addition to the structure, as well as such other materials and information as may be required by the Architectural Control Committee.

Q. What is the procedure and time frame once an alteration form has been filled out?

A. We’ve detailed this on the “Design Review” tab on this website.

Q. If I have a permit from the Town of New Castle, do I still need HOA approval – and vice versa?

A. Possibly. The only sure way to know is to check with both prior to starting your project. The Town looks for conformance to building codes and Town land use codes while the HOA looks at the aesthetics of a project and how it fits in with the surroundings. Depending on your project, you may need both approvals or you may need approval from only 1.