

What are Governing Documents?

Governing Documents

The *Governing Documents* are binding agreements among all property owners and its residents. There is no “form” you must sign to “accept” these agreements; simply by accepting title to property within a common-interest community, you become subject to these deed restrictions. Governing documents are applicable according to following hierarchy:

- **Federal law** – laws such as Fair Housing Act, the Civil Rights Act, and others apply.
- **State Statutes** – specifically the Non-Profit Corporation Act and CIOA (Colorado Common Interest Ownership Act), which became effective July 1, 1992.
- **The Recorded Plat** – subdivision plat recorded with the County Clerk & Recorder defining the lots/units.
- **Declaration of Covenants** – defines the purpose of the Association, the maintenance obligations of the Associations and the Owners, the basis for allocation of ownership interest, the obligation of assessments, the power, authority and responsibility of the Association.
- **Article of Incorporation** - document that brings the (non-profit) corporation into being; recorded with the Secretary of State.
- **Bylaws** – the “operations manual” of the organization providing specific detail about the duties & powers of the Board, the officers, meetings of the members, and the election process.
- **Design Guidelines** – architectural guidelines that supplement the requirements set forth in the Declaration; used by the Architectural Review Committee to review plans for property improvements; also defines some expected behaviors of Owners & residents.
- **Rules & Regulations (aka Community Standards)** – additional restrictions established to align with the Covenants, providing for community standards that enhance the desirability of the community.
- **Board Resolutions** - formal policies set by the Board of Directors.