

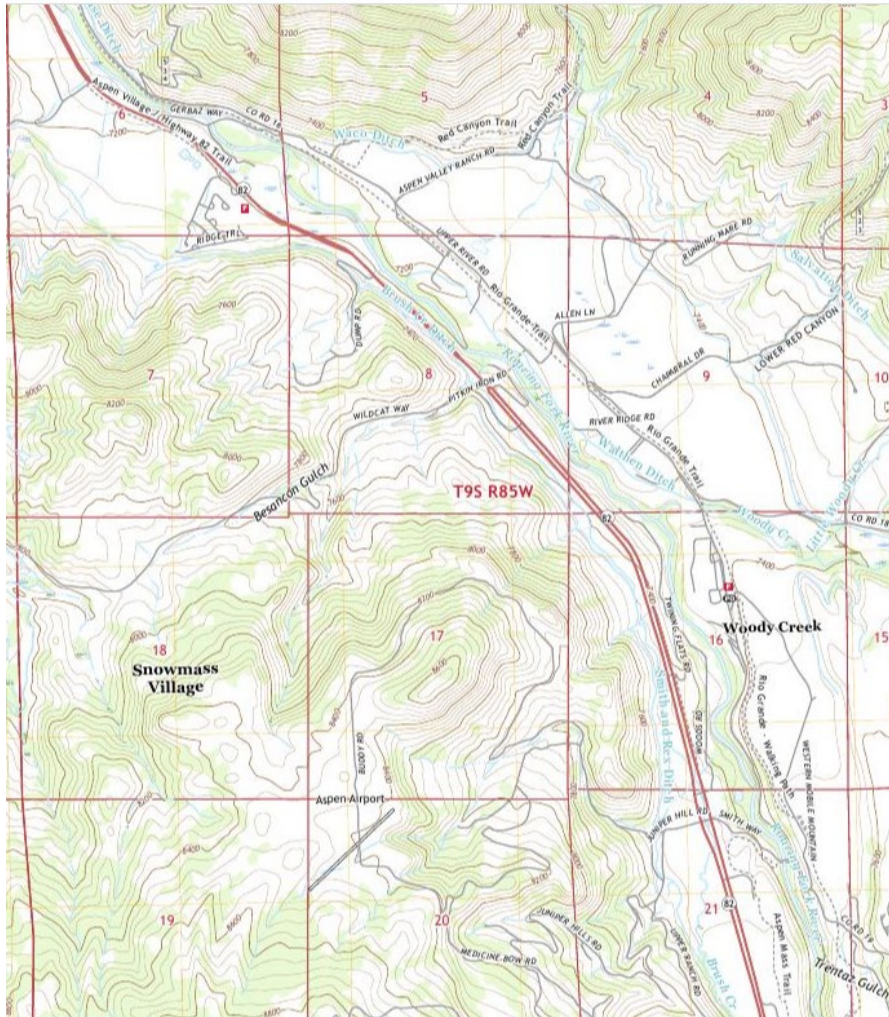
# Woody Creek Residents

## Bill of Rights

Prepared in partnership with the residents of Woody Creek Mobile Home Community, the Housing Innovation Project at MANAUS, housing advocate Claire Noone and housing specialist Jon Fox-Rubin



# WOODY CREEK RESIDENT'S BILL OF RIGHTS



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# WOODY CREEK RESIDENT'S BILL OF RIGHTS

To ensure amicable and equitable relations between the residents (Owners and Renters) of Woody Creek Subdivision (“Residents”) and the entities of the Woody Creek Metro District (“WCMD”) and Aspen Pitkin County Housing Authority (“APCHA”), this Bill of Rights seeks to clarify the rights and responsibilities of the Residents in order to facilitate the fair resolution of disputes, specify rights regarding rules and charges, ensure individual autonomy, and promote oversight and voting. The Bill of Rights uses equity and reason as the touchstone for all actions, to facilitate resolution of disputes in a manner that strengthens the community and empowers Residents to enforce their rights under the United States Constitution, the Colorado Homeowner’s Bill of Rights, the APCHA’s Declaration of Protective Covenants for the Woody Creek Subdivision, APCHA’s Guidelines, Pitkin County Ordinances, APCHA’s Master Deed Restriction for Woody Creek, Rules, Regulations for WCMD, and any other applicable instruments. Links to all above referenced instruments and other source documents may be found cited herein, attached as **RESOURCES**.

## **PART A: PERSONAL RIGHTS:**

### **I. The Right to Equal and Fair Treatment**

Everyone present within the jurisdiction of the United States has the right to equal and fair treatment under the law. No individuals shall be treated unequally or discriminated on the basis of Race/Color, National Origin, Sex, Sexual Orientation, Religion, Family Status, or Disability.<sup>1</sup>

### **II. Right to Due Process**

No person shall be "deprived of life, liberty or property without due process of law." Due process of law means the person must be given **notice**, the opportunity to be **heard**, and a decision by a neutral decision maker<sup>2</sup> In practice that means that prior to any deprivation, an individual is entitled to the following:

- a. Right to Actual and Prompt Notice
- b. Right to an Attorney
- c. Right to a Hearing in front of an Impartial Decision Maker
- d. Right to Appeal a Decision to a Higher Court

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<sup>1</sup> Constitution of the State of Colorado (4)

<sup>2</sup> Constitution of the State of Colorado (4a)

### **III. The Right of Quiet Enjoyment:**

Residents have the Right to the Quiet Enjoyment of their property. Residents have the right to use and enjoy their property without substantial interference from others. For Renters, “others” includes landlords, neighbors, and others. For Owners “others” includes neighbors, APCA, WCMD, and others.

Examples of disturbances of Quiet Enjoyment are frequent or unnecessary visits or inspections of property, constant barking dog, harassment either in person or on the phone, intrusive lights or camera pointed at private areas (not pointed toward street or general area), ,

When deciding if another's actions violate the Right to Quiet Enjoyment, courts consider the duration of the actions, the reason for the actions, and the impact or burden on the Resident. It is important to keep a log of the behavior that you find to be a nuisance and your attempts to resolve the behavior before addressing the matter in court, free from unreasonable, arbitrary, or capricious rules and enforcement thereof.<sup>3</sup>

### **IV. The Right to Safe Housing Conditions:**

All Residents have the right to live in decent, safe, and sanitary housing that is free from environmental hazards including lead-based paint. Renters have the additionally defined Warranty of Habitability that requires landlords to maintain a habitable living space that does not interfere with the tenant’s life, health, or safety<sup>4</sup>. Examples include issues with plumbing, heat, electricity, mold, animal infestation, or compliance with building codes.

### **V. Right to Personal Security:**

All Residents have the right to personal physical and mental security. The Woody Creek Subdivision is located in unincorporated Pitkin County. As such the Pitkin County Sheriff has jurisdiction over criminal and civil enforcement matters. Any acts or practices by another that cause harm upon or unduly interfere with an individual’s physical or mental health should be reported to the Pitkin County Sheriff.

If Residents wish to set up a Neighborhood Watch to support the physical and mental safety of their community, the Pitkin County Sheriff's Office offers the services of the crime prevention specialist to attend a neighborhood meeting and help in the formation of a Neighborhood Watch.

### **VI. Right to Reasonable Accommodation Due to Disability**

Residents with disabilities are entitled to reasonable modifications to policies, practices, and procedures to avoid discrimination under the American Disability Act (ADA). The Fair Housing Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to

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<sup>3</sup> Tenants and Landlords (13)

<sup>4</sup> Residential Tenants Health and Safety Act (12); Tenants and Landlords (13)

afford persons with disabilities an equal opportunity to use and enjoy a dwelling and public and common use areas.<sup>5</sup>

## **VII. The Right of Exclusion:**

An Owner or Renter has the right to exclude or deny entry to the property legally under their control, either by deed or lease agreement. There are certain exceptions or limitations to this right in which an Owner or Resident must permit reasonable entry narrowly tailored to meet a valid and specific goal. First, a court or law enforcement agent may enter the property upon the presentation of a valid warrant or court order. Second, utility easements grant utility workers limited access to inspect and maintain utilities. Third, the WCMD has the right to visit and examine the exterior of a lot or storage space in order to inspect and repair common elements<sup>6</sup>. If APCHA or WCMD require access to a property, notice must be given, including the purpose of the entry, time of entry (between 9am and 5pm), and duration of entry<sup>7</sup>. The proposed entry must be designed to cause the least amount of imposition and maintain the privacy rights of the owner/resident. If the reason for entry is not an emergency, utility maintenance or for necessary maintenance on a common element, the Owner or Resident has the right to either propose another time or deny entry<sup>8</sup>.

Owners may install fences around their property pursuant to Pitkin County Building Code and after prior approval of design and material by the WCMD Board.<sup>9</sup>

## **VIII. The Right to be Informed**

Residents have the right to be promptly informed of matters, changes, and updates relating to their property and community, including but not limited to the contents of their APCHA or WCMD file, the category of their property, as well as the right to fully understand and know the terms and conditions of their individual Deed Restrictions<sup>10</sup>. Owners have the right to an in person meeting with an APCHA employee to go through the deed restriction, guidelines, and more.

## **IX. The Right to Transparency**

Pursuant to the Colorado Open Records Act (CORA), a person has the right to request and inspect the WCMD and APCHA public records<sup>11</sup>. A "public record" includes most writings made, maintained, or kept by a government or public office. Anyone can request public records in the possession of a government office by submitting a written request.

Under CORA, an individual Owner also has the right to request and inspect all confidential information relating to their person or land. Residents have the right to know APCHA and WCMD broad powers, guidelines, rights, and responsibilities. APCHA and WCMD

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<sup>5</sup> Fair Housing Act (1)

<sup>6</sup> Woody Creek Metro District Amended By-Laws (34)

<sup>7</sup> Aspen Pitkin County Housing Authority Rules and Regulations (28)

<sup>8</sup> Woody Creek Metro District Amended By-Laws (34)

<sup>9</sup> Declaration of Protective Covenants, Conditions, and Restrictions for the Woody Creek Subdivision (31)

<sup>10</sup> Colorado Common Ownership Interest Act (10)

<sup>11</sup> Colorado Open Records Act(7)

may not exercise any power not clearly disclosed to the homeowner if the power unreasonably interferes with homeownership.

**X. The Right to Organize and Petition:**

Residents have the right to collectively organize and participate in certain decisions regarding the well-being of the property and community without obstruction, harassment, or retaliation from WCMD, APCHA or other Residents<sup>12</sup>. They have the right to use appropriate common space or meeting facilities to organize. All residents have the right to meet without representatives or agents of APCHA or WCMD present.

Both APCHA and WCMD are governmental bodies. Pursuant to the First Amendment of the US and Colorado Constitution; “People have the right to appeal to the government in favor of or against policies that affect them or in which they feel strongly. This freedom includes the right to gather signatures in support of a cause and to lobby legislative bodies for or against legislation,” A simpler definition of the right to petition, is “the right to present requests to the government without punishment or reprisal<sup>13</sup>.

**XI. Right to Communicate:**

Residents have the right to provide leaflets and post materials in common areas informing other Residents of their rights and opportunities to involve themselves in their property and community<sup>14</sup>.

**XII. The Right to Individual Autonomy**

Residents shall not surrender any essential rights of individual autonomy because they live in a common-interest community<sup>15</sup>.

**XIII. The Right to Clean Air:**

All Residents have the right to clean air. Air quality standards have been set pursuant to the Colorado Air Pollution Control Act of 1970 and Title 6 of the Pitkin County Code<sup>16</sup>. “No person shall use any property, facilities, equipment, process products, or compounds, or commit any act, which materially contributes to the emission into the air of dust, fumes, gas, mist, odor, smoke or vapor, or any combination thereof, of a character and in a quantity as to be detectable by adjacent property owners or the public, at any point beyond the property limits... so as to interfere with their health, repose or safety, or cause severe annoyance or discomfort.”

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<sup>12</sup> Constitution of the State of Colorado (4a); Fair Housing Act (1); U.S. Department of Housing and Urban Development: Fair Housing Rights and Responsibilities (2);

<sup>13</sup> Constitution of the State of Colorado (4)

<sup>14</sup> Constitution of the State of Colorado (4a)

<sup>15</sup> Colorado Common Ownership Interest Act (10)

<sup>16</sup> Pitkin County Land Use Code (21)

#### **XIV. The Right to Protect Against Fire:**

Due to the increasing danger of wildfires in Colorado, Owners have the right to create a defensible space and other fire mitigation measures on their property. An Owner must be allowed to remove trees, shrubs, or other vegetation to create defensible space around a dwelling for fire mitigation purposes, although APCA or WCMD may require the Owner to give notice before commencing work. The removal itself must comply with a written defensible space plan created for the property by the Colorado state forest service, an individual or company certified by a local governmental entity to create such a plan, or the fire chief, fire marshal, or fire protection district within whose jurisdiction the unit is located and must be no more extensive than necessary to comply with the plan.

### **PART B: RIGHTS OF THE HOMEOWNER**

#### **XV. Right to Make Capital Improvements:**

Owners have the right to make certain capital improvements to their unit and receive credit at the time of resale or refinance. The type and value of capital improvements and other contingencies vary with the homeowner's individual Deed Restriction. To ensure credit for capital improvements, Owners must submit for and receive prior authorization before making the improvement. After completion, there is a mandatory inspection from APCA in order to approve and apply the improvement. Owners are required to pay a Fifty (\$50) Dollar fee for each site visit from APCA. Owners may complete multiple improvements and have a single site visit to approve them in order to reduce the cost<sup>17</sup>.

##### **Right to Remove and Replace:**

Owners have the right to remove and replace an existing manufactured home with a newer manufactured or stick built home. All new construction and replacement dwellings obtain necessary building permits from Pitkin County, must comply with the occupancy standards of Pitkin County Land Use Code<sup>18</sup>, APCA Rules and Regulations<sup>19</sup>, and the Master Deed Restriction. The Maximum Resale Price, defined in Section XVI of these Bill of Rights, applies to the sale of new constructions and old manufactured homes alike and should be taken into consideration when considering removal and replacement.

#### **XVI. The Right to Sell**

Owners have the right to elect to sell their properties at their discretion. All sales are subject to the property's specific Deed Restriction and housing category established by APCA.

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<sup>17</sup> APCA Rules and Regulations (28c);

<sup>18</sup> Pitkin County Land Use Code, Chapter 5 (21)

<sup>19</sup> APCA Rules and Regulations, Section 3 (28)

Prior to initiating any sale, Owners have the right to confirm their Maximum Resale Price, terms of sale, and any related terms<sup>20</sup>.

In all transactions of APCA properties, APCA acts as a Transaction Broker owing equal duties to both Buyer and Seller<sup>21</sup>. The Transaction Broker is not an agent of either party but rather an administrator of the sales transaction. As a Seller, the Transaction Broker owes you no fiduciary duty and will not advocate in your best interest. All Owners have the right to enforce transparency and the duties owed to them by the Transaction Broker during the sale pursuant to law<sup>22</sup>. Each party has the right to be represented by an agent in addition to the Transaction Broker. The Owner would be advised to engage a Sellers Agent or Attorney to ensure Maximum Resale Price, advocate for a higher sale price and negotiate favorable terms.

Pursuant to APCA policy the total sales fee is 2% of the sales price including \$750 to be paid at the signing of the Listing Contract and the remainder to be paid at closing (unless specified otherwise by deed restriction)<sup>23</sup>. To initiate the sale process, Owners contact the APCA sales office and execute a Listing Contract. Once the Listing Contract is signed the Owner loses the ability to change their mind or hold off for a higher price. The entire sales process takes approximately 10-12 weeks.<sup>24</sup>

#### **XVII. The Right to Certainty Transparency in Calculating the Maximum Resale Price.**

Owners have the right to know and understand their Maximum Resale Price (MRP)<sup>25</sup>. The Maximum Resale price is the cap on the price an Owner can get from the sale of their property. The MRP for each individual property is calculated as follows:

##### **Original Purchase Price**

(Price paid by Owner on date of Purchase + any Special Assessment)

##### **+ Permitted Capital Improvements**

(Capital Improvements made and approved pursuant APCA Employee Housing Regulations Section 3.D)

##### **+Appreciation**

(Calculated by either: a) 3% simple interest; or b) A calculation of Consumer Price Interest (Purchase Price divided by the Consumer Price Index published at the time of purchase, multiplied by the

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<sup>20</sup> Selling Deed Restricted Units (29)

<sup>21</sup> APCA Rules and Regulations, Section 5 (28)

<sup>22</sup> Colorado Transaction Broker Statute (19)

<sup>23</sup> APCA Rules and Regulations, Section 5B (28)

<sup>24</sup> Master Deed Restriction, Article 3 (26)

<sup>25</sup> Master Deed Restriction, Article 5 (26)



\*Consumer Price Index current at the date of intent to sell (“CPI Calculation”), *whichever is less*.

= **Maximum Resale Price**

\*Consumer Price Index Source:

APCHA uses the link below to obtain the CPI for the month that an Owner bought a property and entered into a Deed Restriction:

<https://www.bls.gov/regions/mountain-plains/cpi-summary/ro7xg01a.htm>

Owners have a right to know how any deductions against the Maximum Resale Price are calculated by APCHA, to know the amount of any such deductions before they decide to list their property for sale, and to contest said deductions in a fair and transparent process. Once an Owner signs a Listing Contract with APCHA, they no longer have the ability to rescind their intent to sell, to make additional capital improvements, or to assess market and pricing factors.

#### **XVIII. Right to Seek Variances:**

Owners may seek variances from compliance with any of the terms and provisions of the WCMD Declaration of Protective Covenants<sup>26</sup>, Pitkin County Board of Adjustment<sup>27</sup>, and

#### **XIX. Right to Lease**

An Owner has the right to lease the entirety or part of their Property to a tenant<sup>28</sup>. An Owner must first offer the prospective Tenant the leased space. Next, Tenants must be pre-approved by APCHA. In order to be approved, Tenants must complete the APCHA Rental Application, meet the basic APCHA eligibility requirements (1) Work full time (at least 1,500 hours per year) in Pitkin County; 2) Use the APCHA unit as a primary residence; 3) Own no other developed residential property within the Ownership Exclusion Zone), meet category income and asset limits and meet the minimum occupancy for the offered unit. After receiving approval from APCHA, the lease agreement is prepared pursuant to the maximum monthly rental rates for deed restricted rental units.<sup>29</sup>

In addition to obtaining APCHA approval, a prospective Tenant, and the WCMD Owner/Member, must meet with the WCMD Board for approval, at which time both the prospective Tenant and the sponsoring Member will sign documentation acknowledging their responsibilities<sup>30</sup>. Additionally, the sponsoring Member will

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<sup>26</sup> Declaration of Protective Covenants for the Woody Creek Subdivision (27)

<sup>27</sup> Pitkin County Board of Adjustment Process (23)

<sup>28</sup> Master Deed Restriction, Article 7(26)

<sup>29</sup> APCHA Rules and Regulations, Section 6 (28)

<sup>30</sup> WCMD Bylaws, Section 2, and 3 (24); Declaration of Protective Covenants, Conditions, and Restrictions for the Woody Creek Subdivision (31)

present to the Association Board a signed, valid lease between the Member and the proposed Tenant. WCMD cannot unreasonably deny a Tenant.

**XX. The Right to Security Against Foreclosure and Redemption**

APCHA and WCMD shall not foreclose against an Owner except for significant unpaid assessments, and any such foreclosure shall require judicial review to ensure fairness<sup>31</sup>. If an Owner is in the foreclosure process, they have the right to redemption and reinstatement up to noon the day before the sale if they file a notice of intent to cure within 15 days of the sale<sup>32</sup>. There are robust resources and advocates on the state level to assist in the redemption and reinstatement process.<sup>33</sup>

Currently all collections to take care of common elements and systems of the subdivision are collected by the Woody Creek Metro District through 1) Monthly Utility Fees and 2) Annual Property Taxes (via Pitkin County)<sup>34</sup>. Outstanding utility fees, plus accumulated delinquent penalties, are turned over to the Pitkin County Treasurer for collection in December for the next year's property tax. Any aggrieved party may petition the WCMD Board of Directors for relief or relaxation of these fees, however, the Board is under no obligation to provide the requested relief. Relief must be sought from the WCMD Board at or before the November Board Meeting prior to the turnover to Pitkin County.

Once the delinquent WCMD fees are handed over to the Pitkin County Treasurer and converted into property tax they are subject to a potential tax lien for delinquency. Delinquent real estate taxes will be advertised once a week for 3 consecutive weeks prior to the annual Tax Lien Sale held in November. Taxes remaining unpaid shall then be sold at Tax Lien Sale for the amount of taxes, accrued interest, advertising, and other applicable charges. Real estate tax liens may be redeemed at any time within 3 years from the date of sale or at any time before a tax deed is issued<sup>35</sup>.

A Mobile Home with an actual value that is less than or equal to **Twenty Eight (\$28,000) Thousand Dollars**, is exempt from the levy and collection of property tax (HB1223).

Delinquent property taxes for Mobile Homes are treated as Personal Property taxes. Delinquent Personal Property tax accounts will be advertised once in September. If unpaid by October 1 they shall be subject to distraint, seizure, and sale.<sup>36</sup>

**XXI. The Right to Resolve Disputes without Litigation**

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<sup>31</sup> Master Deed Restriction, Article 10 (26)

<sup>32</sup> Colorado Right to Redemption in Foreclosure Statute (17)

<sup>33</sup> Colorado Foreclosure Protection Act (15); APCHA Rules and Regulations, Section 7 (28)

<sup>34</sup> WCMD Bylaws (34); WCMD Utility Fee Policy (37); WCMD Delinquency Policy (35)

<sup>35</sup> Colorado Taxation and Property Tax Statute (16)

<sup>36</sup> Colorado Taxation and Property Tax Statute (16)

Owners have the right to use available alternative dispute resolution in disputes with APCHA or WCMD<sup>37</sup>. Both parties preserve the right to litigate.<sup>38</sup>

**XXII. The Right to Work Beyond Minimum Eligibility Guidelines:**

In order to maintain eligibility under APCHA guidelines, Owners are required to work full-time, or at least 1,500 hours per calendar year in Pitkin County<sup>39</sup>. Beyond those required hours, an Owner has the right to work in other countries or remotely so long as the Owner's total annual income remains under the APCHA limit for the particular subdivision.

**XXIII. Right to a Leave of Absence:**

An Owner has the right to apply for and receive a Leave of Absence in order to reside in another residence other than their unit, for more than Ninety (90) Days. Leave of Absences are approved for one year, with the ability to request up to one additional year<sup>40</sup>. If a second year is approved, appreciation on the sales price is frozen.

1. Be in good standing with the WCMD
2. Complete and submit the Leave of Absence Request 30 days prior to taking leave
3. Request approved and signed by both the WCMD and APCHA.

**XXIV. The Right to Retire**

An Owner has the right to retire in their unit if they meet APCHA's requirements as a "Qualified Retiree"; namely, a person who has reached the retirement age as defined below and who has for at least ten (10) consecutive years immediately prior to retirement met APCHA's requirements of an "Employee" and who has owned or leased a deed restricted unit for at least four (4) consecutive years immediately prior to retirement<sup>41</sup>. An individual is allowed to retire at age 62 if they can document a 30-year work history with 15 of those years immediately preceding retirement age residing in APCHA housing. Otherwise, at such time as the owner reaches the age to receive full (100%) benefits as determined by the U.S. Social Security Administration, or as otherwise stipulated in the applicable deed restriction.

For Qualified Retirees, qualifying maximum net assets shall be adjusted to one hundred fifty percent (150%) of the amount regularly applicable in the respective category.

Tenants who retire upon reaching retirement age must continue to reside in their deed restricted unit at least nine months out of the calendar year and not own any other developed property within the Ownership Exclusion Zone in order to remain qualified.

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<sup>37</sup> APCHA Rules and Regulations, Section 5c (28)

<sup>38</sup> Colorado Common Interest Ownership Act (10)

<sup>39</sup> APCHA Rules and Regulations, Section 6 (28)

<sup>40</sup> Master Deed Restriction, Article 6 (26); APCHA Rules and Regulations, Section 3F (28)

<sup>41</sup> APCHA Rules and Regulations, Part 7 (28)

**XXV. Right to Estate Planning/Beneficiary Rights:**

Owners have the right to leave their ownership interest as part of their estate. All deed restrictions on the property limit and control the passage of ownership interest as part of an Owner's estate. One way an Owner may pass on their ownership interest is through executing and recording a Beneficiary Deed prior to their death leaving their ownership interest to a named beneficiary. Upon the death of the Owner, the ownership interest will pass to the named beneficiary. If the named beneficiary is Qualified for ownership (working at least 1500 hours per year in Pitkin County and not owning other property within the Ownership Exclusion Zone), the property will transfer to them and they will be required to execute a new Deed Restriction with APCA. If the named beneficiary is not Qualified, they have 6 months in which to apply for and receive qualification<sup>42</sup>.

Another way an Owner may pass on their ownership interest is through a Will. If the ownership interest is passed to a named individual, they must follow the steps to become Qualified within 6 months. If the ownership interest is to be liquidated or divided, the property will be marketed and sold according to the deed restriction, and the proceeds distributed according to the Will or probate.

If no such planning is done prior to an Owner's death, a spouse or child does not have to meet the category for the unit nor the minimum occupancy requirement. A relative living in the household at the time of the Qualified owner's death shall be permitted to continue to occupy the unit only if they become Qualified within 6 months<sup>43</sup>. If the surviving spouse or close family member cannot become Qualified in 6 months the property will be marketed and sold according to the deed restriction, and the proceeds distributed according to the Will or probate.

**XXVI. Right to Seek a Variance after Death of Qualified Owner:**

If compliance as a Qualified Employee/Owner is not possible, APCA has a Special Review procedure for granting a variance with the show of "unusual hardship."<sup>44</sup> In order to get a Special Review, the petitioner must submit a letter requesting a Special Review, along with sufficient evidence showing that there is "unusual hardship" and supporting evidence to show that granting the variance would be consistent with the policies and purposes of APCA. Next, a meeting with the Special Review Hearing Officer is scheduled in which the facts of the case would be discussed, and an argument in support of variance could be made. A decision would then be made by the Hearing Officer. If unfavorable, the petitioner has the right to appeal to the APCA Board of Directors and then to a District Court if the governmental body has exceeded its jurisdiction or abused its discretion.

**PART C: RESIDENT RIGHTS**

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<sup>42</sup> APCA Rules and Regulations, Part 6C (28)

<sup>43</sup> APCA Rules and Regulations, Part 6C (28)

<sup>44</sup> APCA Rules and Regulations, Part 6 (28)

## **XXVII. Right To Seek Enforcement And Compliance**

The Owners and Residents are not the only parties bound by the covenants and guidelines that APCHA and WCMD have established. The entities themselves are bound by their duty to enforce the covenants and enforce the procedures and protections provided in the organizational documentation<sup>45</sup>. When improper notice is given, formal action taken outside of a meeting, staff or Board members have a conflict of interest, or more, an Owner has the right to appear before the appropriate Board to make a case for compliance<sup>46</sup>. An owner or a Resident can provide written documentation of a violation and a request for a cure, to the appropriate Board and present the matter at a meeting<sup>47</sup>. If compliance and resolution is not reached, the Owner has the right to seek removal of a Board Member, or Sue, as provided in Section XI and XII of these Bill of Rights, respectively.

## **XXVIII. The Right to Attend Meetings of APCHA and WCMD**

APCHA and the WCMD, as local governmental bodies, are required to give adequate notice and opportunity for the public to be present for all discussion of public business<sup>48</sup>. APCHA's regular public Board Meetings are held on the 1st and 3rd Wednesday of every month. WCMD holds six regular meetings on the first Monday of odd months and second Monday of January, July and September. All meetings of a quorum, or three or more members (whichever is fewer), of the Board of Directors at which public business is discussed or formal Board action may be taken must be open to the public. Open meeting requirements apply to formal meetings of the Boards and study sessions. All Residents may attend Board Meetings in person, on Zoom, or call in. The use of recording devices at open meetings is neither prohibited nor permitted by the Colorado statutes<sup>49</sup>.

## **XXIX. The Right to Oversight of Associations and Directors**

With regards to the WCMD Board, Owners have the right to reasonable access to records and meetings, as well as specified abilities to call special meetings, to obtain oversight of elections and other votes, and to recall directors<sup>50</sup>. All Residents have the same rights regarding the APCHA board. Both APCHA and WCMD hold public authority as formally constituted bodies with delegated governmental decision-making functions. As such, they are subject to strict procedural regulations and public scrutiny. No individual, including WCMD or APCHA Board members, have authority to take action between official meetings. The community's wide-ranging situation and direction must be considered with every decision, and that can only be done at a Board meeting. Any action taken between meetings is invalid and should be presented to the relevant board and wider community. Any WCMD or APCHA Director must disclose and recuse themselves from any matter in which they have a conflict of interest.

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<sup>45</sup> APCHA Intergovernmental Authority Agreement (24)

<sup>46</sup> Declaration of Protective Covenants, Conditions, and Restrictions for the Woody Creek Subdivision, Article 7, (27)

<sup>47</sup> APCHA Rules and Regulations, Section 5c (28)

<sup>48</sup> Colorado Open Meeting Requirements of the Sunshine Law (6)

<sup>49</sup> Colorado Open Meeting Requirements of the Sunshine Law (6)

<sup>50</sup> Colorado Special District Act (18)

**XXX. The Right to Reasonable Associations and Directors**

Associations, like APCA and WCMD, their directors, and other agents, shall act reasonably in exercising their power over Residents<sup>51</sup>. Board members owe legal duties to both the association (APCHA or WCMD) and to the Owners as fiduciaries. A fiduciary is a person in a position of trust, having a duty, created by his or her undertaking, to act principally for the benefit of another in matters connected with that undertaking. Within these duties is the implied Duty of Loyalty that requires all directors and agents to act fairly, in good faith, in the interest of, and for the benefit of the association on the whole.

**XXXI. Right To Remove A Board Member/Director**

There is an implied Duty of Act within the Scope of Authority that applies to all directors and agents of associations, like APCA and WCMD. Directors and agents owe a duty to their associations and to their members to perform their duties in accordance with the authority granted to them by statute and in their governing documents. If directors or agents exceed this authority and damage results, the directors may be personally liable for their unauthorized actions.

Any WCMD Director who has held office for at least six months may be subject to recall. In order to recall a Director, a petition signed by 40% of eligible members, or Owners, must be filed asserting the grounds for recall, and a recall election must be held pursuant to the provisions of Part 9 of Article 1, Title 32, C.R.S.

APCHA has an eight-member Board of Directors (five voting and three alternates). The Aspen City Council and Pitkin County Board of County Commissioners each have one voting member and one alternate<sup>52</sup>. The other four board members are appointed jointly by the City Council and the Board of County Commissioners. Directors appointed by the Aspen City Council may be removed at its sole discretion. So too may the Directors appointed by the Pitkin County Board of County Commissioners be removed at its sole discretion.

The elected members of the APCA Board of Directors, City Councils and County Commissioners may be removed through a petition for a recall election filed pursuant to the City and County Codes, respectively. The non-elected members may be removed only by the person or authority who appointed them. As such, a petition for removal must be directed at the appointing authority, supported by grounds for removal, endorsed by signatures of other members of the public.

**XXXII. Right To Sue:**

Both APCA and WCMD are political subdivisions of the State of Colorado, and as such are protected by governmental liability protection<sup>53</sup>. That means that there are limits on the kind of damages you can seek against them for due course of their work. However, no individual is

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<sup>51</sup> Colorado Special District Act (18); APCA Bylaws, Article 6 (25)

<sup>52</sup> APCA Bylaws, Section 3 ( 25)

<sup>53</sup> Colorado Governmental Immunity Act (11); Declaration of Protective Covenants, Conditions, and Restrictions for the Woody Creek Subdivision ()

provided liability protection for acts that are outside the scope of assigned duties or that are willful and wanton, intentional, or criminal in nature.

Actions in which APCHA and WCMD may not claim immunity are the following:

- a. **Federal Actions:** Suits or claims against public entities that are grounded in federal law, including claims for violations of a person’s civil rights, and violations of environmental, antitrust, securities, and labor and wage laws (again, based in federal law) are outside of the protections of governmental immunity.
- b. **Contract Claims:** Responsibility for any claims arising out of an agreement or contractual dispute are outside of governmental immunity. The responsibilities and remedies from such disputes should be addressed within the agreement itself.
- c. **Criminal Actions:** The Colorado Governmental Immunity Act does not create any governmental immunity from claims for injury or damage from a public entity’s criminal actions. Common potential areas of criminal exposure include the following:
  - i. Entering into a prohibited transaction;
  - ii. Failing to disclose conflicts of interest;
  - iii. Misuse of official information;
  - iv. Malfeasance; and
  - v. Issuing a false certificate or document.

Where there is litigation between Owners, APCHA, or WCMD, and the Owner prevails, the association shall pay attorney fees to a reasonable level.

### XXXIII. **The Right to Vote and Run for Office**

#### **WCMD:**

Owners have well-defined voting rights, including the right to vote remotely, use a proxy, secret ballots, and recounts. Each Owner who is a record owner of a Lot shall be a Member of the WCMD Association (“Member”). Each member shall have one vote in WCMD elections. Members have the right to run to join the Board of Directors.<sup>54</sup>

If a Member wishes to run to become a Board Member, they must submit a nomination. The Board of Directors must publish a Call for Nominations, at least 75 days or more than 100 days prior to the regular election. The notice must set forth the Director offices to be voted upon at the election, where a self-nomination and acceptance form

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<sup>54</sup> Declaration of Protective Covenants, Conditions, and Restrictions for the Woody Creek Subdivision (31)

may be obtained, the deadline for filing such form, and information on obtaining an absentee ballot.

Residents of the WCMD A self-nomination and acceptance form signed by the candidate and one other registered voter of the State must be filed with the Designated Election Official no earlier than January 1 and no later than the normal close of business on the 67th day prior to the regular election<sup>55</sup>.

#### **APCHA:**

In addition to the Board Members appointed by the County Commissioners and City Council, there are four Citizen Appointed Directors<sup>56</sup>.

Voting on all questions before the APCHA Board takes place only by the Board Members. The opportunity for participation and involvement by Residents is through public comment. Pursuant to APCHA Bylaws, “APCHA Board meetings shall be conducted in a fair and impartial manner” Citizens, APCHA staff and APCHA Board members alike must be allowed to state their positions in a courteous atmosphere that is free of intimidation, profanity, personal affronts, threats of violence, or the use of APCHA as a forum for politics. Residents may submit written comments or verbal comments.

#### **XXXIV. Right to Dissolve a Metro District**

Dissolution of a metro district, like WCMD, may be initiated in a number of ways, including by the Board of Directors, or by application to the Board from the electors, the municipality, or a regional service authority providing the same services as the special district. **Five (5%) Percent** of the eligible members may file an application with the Board to dissolve the metro district<sup>57</sup>. An election of the Members of WCMD is then held on the matter of dissolution. If a majority of the eligible Members voting at the election approve the question of dissolution, the judge shall enter an order dissolving the WCMD for all purposes or for all purposes except those reserved in the plan, as the case may be.

#### **Right to Own Pets:**

Residents may have pets in their units pursuant to Pitkin County Animal Control Regulations. The WCMD limits pets to a maximum of two cats and two dogs per unit and requires all pets to be registered.<sup>58</sup> Residents are prohibited from raising pets for commercial uses. The American Disability Act (ADA) and the Fair Housing Act protect Residents who have Emotional Support Animals or Service Animals<sup>59</sup>.

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<sup>55</sup> Colorado Local Elections Code (20)

<sup>56</sup> APCHA Bylaws, Article 3 (25)

<sup>57</sup> Colorado Special District Act, Part 7 (18)

<sup>58</sup> Declaration of Protective Covenants, Conditions, and Restrictions for the Woody Creek Subdivision, Article 5, Section 5 (31)

<sup>59</sup> Fair Housing Act (1); American Disability Act (3)



# WOODY CREEK RESIDENT'S BILL OF RIGHTS

## RESOURCES

<u>Source of Right</u>	<u>Page</u>
United States	1
Colorado	2
Pitkin County	4
APCHA	5
WCMD	6

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### UNITED STATES

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1. Fair Housing Act: ( 45 U.S.C. §3601-3619)  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/fair\\_housing\\_act\\_overview](https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview)  
File a Complaint:  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)
2. U.S. Department of Housing and Urban Development: Fair Housing Rights and Responsibilities  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/fair\\_housing\\_rights\\_and\\_obligations](https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_rights_and_obligations)
3. American Disability Act: Americans with Disabilities Act of 1989, Public Law 336, U.S. Statutes at Large 104 (1990): 327-378.  
<https://www.govinfo.gov/app/details/STATUTE-104/STATUTE-104-Pg327>.  
<https://www.ada.gov/law-and-reggs/title-ii-2010-regulations/>

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# COLORADO

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4. Constitution of the State of Colorado: C.R.S.A. Const.  
[https://www.sos.state.co.us/pubs/info\\_center/laws/COConstitution/ColoradoConstitution.pdf](https://www.sos.state.co.us/pubs/info_center/laws/COConstitution/ColoradoConstitution.pdf)
  - a. Right to Assemble and Petition: C.R.S.A. Const. Art. 2, § 24
  - b. Due Process of Law: C.R.S.A. Const. Art. 2, § 25

5. Colorado Fair Housing Law (C.R.S. § 24-34-501-510)  
<https://ccrd.colorado.gov/housing-discrimination>

File a Fair Housing Complaint: <https://socgov07-site.secure.force.com/ColoradoCivilRights/>

6. Colorado Open Meeting Requirements of the Sunshine Law: (C.R.S § 24-6-401)  
<https://leg.colorado.gov/sites/default/files/open-meeting-requirements-of-the-colorado-sunshine-law.pdf>

7. Colorado Open Records Act (CORA) (C.R.S § 24-72-201)  
[https://www.sos.state.co.us/pubs/info\\_center/cora.html](https://www.sos.state.co.us/pubs/info_center/cora.html)

8. Colorado Special District Act (C.R.S. § 32-1-101-31-22-117)  
<https://leg.colorado.gov/sites/default/files/images/olls/crs2021-title-32.pdf>

9. Colorado Air Quality Standards: (5 CCR 1001-14)  
<https://cdphe.colorado.gov/aqcc-statutes-and-regulations>

To report a concern about air quality, call Pitkin County Environmental Health at (970) 920-5438 or (970) 920-5200.

10. Colorado Common Interest Ownership Act (C.R.S. § 38-33.3-101)  
<https://dre.colorado.gov/ccioa-and-other-state-local-and-federal-laws>

11. Colorado Governmental Immunity Act: (C.R.S. § 24-10-102)  
<https://casetext.com/statute/colorado-revised-statutes/title-24-government-state-administration/article-10-governmental-immunity/section-24-10-106-immunity-and-partial-waiver>

12. Residential Tenants Health And Safety Act (HB19-1170)  
<https://leg.colorado.gov/bills/hb19-1170>

13. Tenants and Landlords: (C.R.S §38-12-101)  
<https://casetext.com/statute/colorado-revised-statutes/title-38-property-real-and-personal/tenants-and-landlords/article-12-tenants-and-landlords>

14. Colorado Air Pollution Control Act of 1970: (C.R.S §25-7-102)  
<https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=787&fileName=5%20CCR%201001-2>
15. Colorado Foreclosure Protection Act:  
<https://dre.colorado.gov/division-notifications/understanding-the-colorado-foreclosure-protection-act>
16. Colorado Taxation and Property Tax Statute <https://law.justia.com/codes/colorado/2016/title-39/property-tax/article-10/section-39-10-111>
17. Colorado Right to Redemption in Foreclosure Statute:  
<https://law.justia.com/codes/colorado/2021/title-38/article-38/part-3/section-38-38-302/>
18. Colorado Special District Act:  
<https://casetext.com/statute/colorado-revised-statutes/title-32-special-districts/special-district-act/article-1-special-district-provisions>
19. Colorado Transaction Broker Statute: CO Rev Stat § 12-61-807  
(2016)<https://law.justia.com/codes/colorado/2016/title-12/general-continued/article-61/part-8/section-12-61-807>
20. Colorado Local Election Code  
<https://casetext.com/statute/colorado-revised-statutes/title-1-elections/general-primary-recall-and-congressional-vacancy-elections/article-135-colorado-local-government-election-code/part-5-notice-and-preparation-for-elections/section-1-135-501-call-for-nominations-definitions>

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## PITKIN COUNTY

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**21. Pitkin County Land Use Code:**

<https://pitkincounty.com/468/County-Code>

**Ordinances Index:**

[https://pitkincounty.com/DocumentCenter/View/29634/amended\\_sections](https://pitkincounty.com/DocumentCenter/View/29634/amended_sections)

a) Noise Ordinances: Title 6.36.030

<https://pitkincounty.com/DocumentCenter/View/2696/construction-link-636030--title-6?bidId=>

b) Light Ordinances: Title 7.20.140

<https://pitkincounty.com/DocumentCenter/View/2659/lights-title-720140?bidId=>

c) Animal Ordinances: Title 5.04:

<https://sites.google.com/pitkincounty.com/title-5/home>

**22. Pitkin County Building Codes**

<https://pitkincounty.com/206/Building-Energy-Codes>

**23. Pitkin County Board of Adjustment:**

<https://pitkincounty.com/870/Board-of-Adjustment>

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## ASPEN PITKIN COUNTY HOUSING AUTHORITY (APCHA)

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24. APCHA Intergovernmental Authority Agreement  
<https://www.apcha.org/DocumentCenter/View/1227/Intergovernmental-Agreement---August-1-2019?bidId=>
25. APCHA Bylaws  
<https://www.apcha.org/DocumentCenter/View/96/APCHA-Bylaws-2016-PDF?bidId=>
26. Master Deed Restriction Agreement  
<https://www.apcha.org/DocumentCenter/View/422/Master-Deed-Restriction-Agreement-for-the-Occupancy-and-Resale-of-Woody-Creek-Subdivision-PDF>
27. Declaration of Protective Covenants, Conditions and Restrictions  
<https://www.apcha.org/DocumentCenter/View/419/Declaration-of-Protective-Covenants-for-the-Woody-Creek-Subdivision-PDF>
28. APCHA Rules and Regulations  
<https://www.apcha.org/DocumentCenter/View/1225/APCHARegulationsFINAL20220728?bidId=>
- a) Notice of Violation Process:  
<https://www.apcha.org/231/Notice-of-Violation-Process>
  - b) APCHA Report a Concern:  
<https://hometrek.force.com/s/contact-us-apcha>
  - c) Capital Improvements Procedure:  
<https://www.apcha.org/DocumentCenter/View/1225/APCHARegulationsFINAL20220728?bidId=>
29. Selling Deed Restricted Units:  
<https://www.apcha.org/158/Selling-Deed-Restricted-Un>
- a) Listing Contract  
<https://www.apcha.org/DocumentCenter/View/131/Listing-Contract-Checklist-PDF>
  - b) Capital Improvements Policy:  
<https://www.apcha.org/157/Capital-Improvements>
30. Citizen Board Member Application Form  
<https://pitkincounty.com/FormCenter/Citizen-Boards-12/Board-Application-Form-52>

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## WOODY CREEK METRO DISTRICT (WCMD)

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31. Declaration of Protective Covenants, Conditions, and Restrictions for the Woody Creek Subdivision  
<https://static1.squarespace.com/static/57dae7af2e69cf341249aa43/t/5e693bd9b69c1c53adb48957/1583954909199/Declaration+of+Protective+Covenants+for+the+Woody+Creek+Subdivision+%28PDF%29.pdf>
32. Annual Notice (Meeting, Board of Directors, and Election Information)  
<https://www.sdaco.org/modal/sda-transparency/notice/id/2319/feature-name/org.sdaco.transparency.standard>
33. Articles of Incorporation (HOA)  
<https://www.apcha.org/DocumentCenter/View/416/Articles-of-Incorporation-PDF>
34. Amended By-Laws (2008)  
<https://www.apcha.org/DocumentCenter/View/418/By-Laws-Amended-in-2008-PDF>
35. Delinquency Policy:  
<https://www.apcha.org/DocumentCenter/View/418/By-Laws-Amended-in-2008-PDF>
36. Communication Policy:  
<https://static1.squarespace.com/static/57dae7af2e69cf341249aa43/t/613f98c306fa7e589d610497/1631557827319/2020+WCMD+Communication+Policy.pdf>
37. Utility Fee Policy:  
<https://static1.squarespace.com/static/57dae7af2e69cf341249aa43/t/61b8c4dab0d2ce2932fc343e/1639498970332/Notice+of+Utility+Fee+11.28.16+-+Policy+format.pdf>
38. Amended Fines Policy:  
<https://static1.squarespace.com/static/57dae7af2e69cf341249aa43/t/5df80dd23e9c833efc15fdc8/1576537555871/Notice+of+Fine+Amendment.pdf>

# WOODY CREEK RESIDENT'S BILL OF RIGHTS

## COMMUNITY SERVICES

### EMERGENCY SERVICES:

Pitkin County Emergency Dispatch

Phone: (970) 920-5310

Website: <https://www.pitkincounty.com/337/Emergency-Dispatch>

Pitkin County Sheriff:

Non-Emergency: (970) 920-5300

Emergency: 911

Colorado Resources Helpline: Call for all public resources 211

PitkinAlert: Sign up for emergency alerts:

<https://member.everbridge.net/453003085612656/login>

### FIRE:

#### **Woody Creek Fire- Station 63**

7907 Upper River Road

Woody Creek, CO 81656

Emergency: 911

Non-Emergency: 970-925-5532

Owners or Residents may request a free, in depth, on-site home assessment by a local fire professional to determine risk and ways to mitigate the risk of fire at:

<https://www.pitkinwildfire.com/protect-your-home#defensible-space>

All Residents may sign up with Pitkin Alert, an emergency notification system, to notify them of any fires, natural disasters, or other emergencies. To sign up go to:

<https://member.everbridge.net/index/453003085612656#/signup>

The environmental health officer of Pitkin County conducts regular testing on sites around the county for air conditions. If a Resident has a concern about air quality, report it to Pitkin County Environmental Health at (970) 920-5438 or (970) 920-5200.

## **MENTAL HEALTH SERVICES:**

National Suicide and Crisis Lifeline: 988

Aspen Hope Center

Phone: (970) 925-5858

<https://www.aspenhopecenter.org/>

Crisis Line: Aspen: (970) 925-5858, Garfield: (970) 945-3728.

Website: <https://www.aspenhopecenter.org>

Mind Springs Health

Aspen Phone: (970) 920-5555 H

0405 Castle Creek rd. suite 207 Aspen, CO 81611.

Spanish phone line and email: (970)683-7289 [spanishline@mindspringshealth.org](mailto:spanishline@mindspringshealth.org)

[www.mindspringshealth.org](http://www.mindspringshealth.org)

ASPEN STRONG:

(970) 718-2842

Register here: <https://aspenstrong.org/2020/12/06/time-to-talk/>

## **DOMESTIC VIOLENCE SERVICES:**

RESPONSE- Pitkin County Domestic Violence Assistance

Administration: (970) 920-5357

Help Line: (970) 925-7233

National Domestic Violence Hotline

(800) 799-SAFE (7233)

National Sexual Assault Hotline

(800) 656-HOPE (4673)

[www.rainn.org](http://www.rainn.org)

Sex Offender Registry Colorado: (Search by address)

<https://apps.colorado.gov/apps/dps/sor/>

## **ASPEN/PITKIN COUNTY HOUSING AUTHORITY (APCHA)**

<https://www.apcha.org/>

Emergency Maintenance Line: (970) 920-5457.

Main Office Phone: 970-429-2860

Staff Directory <https://www.apcha.org/Directory.aspx?did=10>

Director of Housing, Compliance; Phone: 970-920-5137

Director of Housing, Operations & Property Management; Phone: 970-920-5455



## WOODY CREEK METRO DISTRICT (WCMD)

<https://www.wcmetro.com/>

Woody Creek Metro District

PO Box 343

Woody Creek, CO 81656

woodycreekmetro@gmail.com

wcmdpropmgmt@gmail.com

## LEGAL SERVICES:

Free Legal Helpline every Wednesday 5-7. Call (970)-368-2245 (Spanish and English)

Alpine Legal Services:

<https://alpinelegalservices.org/>

506 E. Main St., Suite 101, Aspen , CO 81611

Colorado Legal Services - Frisco & Central Mountains

(800) 521-6968

<https://clsofficeinformation.wordpress.com/cls-office-information/>

[https://colsoi.legalserver.org/modules/matter/extern\\_intake.php?pid=129&h=daa817&](https://colsoi.legalserver.org/modules/matter/extern_intake.php?pid=129&h=daa817&)

Colorado Poverty Law Project

Website: <https://www.copovertylawproject.org>

Phone: (303) 293-2217

If you need immediate assistance on a housing-related issue, email [contact@copovertylawproject.org](mailto:contact@copovertylawproject.org)

Mi Casa Resource Center and the Colorado Hispanic Bar Association

Website: <https://micasaresourcecenter.org/>

Phone: (303) 573-1302

Find a lawyer

<https://www.cobar.org/Licensed-Lawyer>

## COURTS LEGAL ASSISTANCE:

Colorado Office of Dispute Resolution:

<https://www.courts.state.co.us/Administration/Unit.cfm?Unit=odr>

Pitkin Combined Court - Self Help Center

Judicial District 9

506 E Main, Suite 300, Aspen, CO 81611

(970) 928-3061

[09selfhelp@judicial.state.co.us](mailto:09selfhelp@judicial.state.co.us)

Small Claims Court:

Seeking money damages against someone for the amount of \$7,500 or less:

[https://www.courts.state.co.us/Self\\_Help/smallclaims/](https://www.courts.state.co.us/Self_Help/smallclaims/)

## **FOOD SERVICES:**

Salvation Army  
1004 Grand Avenue  
Glenwood Springs, CO 81601  
(970) 945-6976

Lift-Up Food Pantry (Aspen)  
456 N. Mill Street #5  
Aspen CO 81611  
(970) 544-2009  
<http://www.liftup.org/>

## **FINANCIAL SERVICES:**

State of Colorado Rental Assistance:

<https://cdola.colorado.gov/rental-mortgage-assistance>

To connect with a representative CALL OR TEXT: 1-888-480-0066

The Temporary Assistance for Needy Families (TANF) program is a federal program that provides financial assistance and job support to eligible families. In Colorado, the program is known as Colorado Works. Households must have a child in the home under the age of 18, meet certain income and residency requirements, and at least one of the children must have legal immigration status to be eligible for this program.

<https://cdhs.colorado.gov/colorado-works>

Anyone interested in applying for the Colorado Works program can do so online using the Colorado PEAK website [https://peak--coloradopeak.force.com/peak/s/peak-landing-page?language=en\\_US](https://peak--coloradopeak.force.com/peak/s/peak-landing-page?language=en_US)

Catholic Charities - Catholic Charities in Eagle, Garfield, and Pitkin counties operate the following care programs: Community Integration Services, Emergency Assistance, and Homeless Prevention. <https://ccdenver.org/western-slope/>

Aspen Family Connections - Aspen Family Connections is a family resource center, created to connect all Pitkin County children, youth, and families with a wide range of community resources. Whether you need economic assistance and benefits, academic and extracurricular support, social/emotional and mental health counseling, legal advice and mediation, summer activities – or anything else – we’re here to help you find and access it. <https://www.aspenfamilyconnections.org/>

Valley Settlement - Valley Settlement works with immigrant families in the Roaring Fork Valley to promote early childhood development, advance opportunity, and reduce barriers to accessing vital community resources. <https://valleysettlement.org/>

Tom's Door - The mission of Tom's Door is to provide emergency assistance in the Roaring Fork Valley area, from Aspen to Parachute, to those in need and who have the potential to improve their quality of life. <https://tomsdoor.com/>

### **Additional Community Resources:**

- [Alpine Legal Services](#)
- [Colorado Child Support](#)
- [Find a Lawyer](#)
- [Mediation Services](#)
- [Colorado Legal Services](#)
- [All Rise for Civil Justice](#)
- [Free Information on 60 different types of Colorado Civil Issues](#)
- [The Servicemembers Civil Relief Act: A Guide for Family Law Attorneys](#)
- [Substance Use Emergency Commitment/Involuntary Commitment](#)
- [Prepare A Will for Free](#)
  
- **Domestic Violence**
  - [National Domestic Violence Hotline](#)
  - [Advocate Safehouse Project](#)
  - [Response Aspen](#)
  - [Colorado Organization for Victim Assistance \(COVA\)](#)
  - [Colorado Division of Criminal Justice](#)
  - [Report Abuse](#)
  - [National Domestic Violence Hotline](#)
  - [Sunshine Behavioral Health Domestic Violence Victim Awareness](#)
  - [Domestic Violence Personalized Safety Plan](#)
  
- **Sexual Assault**
  - [Rainn.org](#) - national sexual assault hotline
  - [Pandys.org](#) - information, support, and resources to survivors of rape and sexual abuse and their friends and family
  - [1in6.org](#) – (this is a resource for male survivors of sexual assault)
  - [Arte-sana.com](#) (Spanish resources for victims of sexual assault)
  - [Malesurvivor.org](#) -resource for male survivors of sexual assault
  - [Sidran.org](#) - traumatic stress education and advocacy
  
- **Employment**
  - [Know Your Rights: Labor Law](#)
  - [Towards Justice](#)

- [Colorado Civil Rights Division](#) (for workplace discrimination)
- [Equal Employment Opportunity Commission](#) (for workplace discrimination)
- [Fact Sheet on Employment Discrimination](#) (employees with disabilities)
- [Fact Sheet on Family Medical Leave Act](#)
- [Resource Guide: Disability Discrimination in Employment](#)
- [Guide to Recovering Stolen Wages Without a Lawyer](#)

## Resources for Older Adults

- [Alpine Area Agency on Aging \(AAA\)](#)
- [Stop Fraud Colorado](#)
- [Frequently Asked Questions: LTSS Visitation Rights & COVID-19](#)
- **Property and Financial:**
  - [Income and Asset Protection](#)
  - [Reverse Mortgages Tip Sheet](#)
  - [Tax Tips for Older Adults](#)
- **Debt Collection:**
  - [State Exemption Laws](#)
  - [How to Stop Abusive Debt Collection](#)
- **Poverty and Emergency Assistance:**
  - [Accessing Insurance Benefits After a Disaster](#)
  - [Disaster Assistance and Legal Services for Older Adults](#)
- **Elder Abuse:**
  - [Elder Abuse Fact Sheet](#)
  - [Using Consumer Tools and Resources to Help Survivors of Elder Abuse](#)
- **Guardianship:**
  - [Guardianship and the Right to Visitation, Communication, and Interaction](#)
  - [10 Tips for Guardians of Older Adults](#)
- **Nursing Homes:**
  - [Ombudsman Program Fact Sheet](#)
  - [Residents' Rights](#)
  - [Garfield County Options for Long Term Care](#)
- **Public Benefits:**
  - [Legal Basics: Medicare Appeals](#)
  - [Overview of Medicare Appeals Process](#)
  - [Requesting Social Security Administration Waive an Overpayment](#)
  - [Using Payment Plans to Protect Ability to Meet Basic Needs from Social Security Overpayments](#)
  - [SSI Resource Exclusion for the Home and Adjoining Property](#)
  - [SSI Resource Transfer Penalty](#)

- [Rights Sheet for People with SSI/SSDI Representative Payee](#)
- [Using SNAP Benefits for Grocery Pickup or Delivery](#)
- **Miscellaneous:**
  - [REAL ID Info for Older Adults](#)
  - [Tips for Stopping Illegal Robocalls](#)
  - [Federal Protection from Telemarketers](#)
  - [A Little Help](#)
  - [Center for Independence](#)

## **Disability**

- [Colorado Cross-Disability Coalition](#)
- [Overview of Laws Protecting Residents with Disabilities](#)
- Overview of [the Americans with Disabilities Act](#)
- Employment:
  - [Fact Sheet on Employment Discrimination](#) (employees with disabilities)
  - [Resource Guide: Disability Discrimination in Employment](#)
  - [Working with the Division of Vocational Rehabilitation](#)
- Service Animals:
  - [Service Dog FAQs](#)
  - [Service Animal Resource Guide](#)
  - [Service Animals vs. Assistance Animals](#)

## **Other Community Resources**

- [What is Legal Aid?](#)
- [Why Does Civil Legal Aid Matter?](#)
- [2-1-1 Colorado](#)
- [Pitkin County Human Services](#)

# Woody Creek Residents Conflict Resolution Flow Chart

