

**NOTICE OF INTENT TO FORECLOSE
THE LIEN FOR ASSESSEMENTS
C.R.S. 38-33.3-316(10.8)**

DATE OF NOTICE:

TO: HERE NAME **UNIT OWNER(S)** AS SHOWN ON ASSOCIATION RECORDS

ADDRESS: USE ADDRESS ON ASSOCIATION RECORDS AND AN EMAIL ADDRESS IF AVAILABLE

TO: HERE NAME **DESIGNEE** IF THE UNIT OWNER HAS ALSO NAMED A DESIGNEE FOR NOTICE - ALSO INCLUDE THAT PERSON

ADDRESS: USE ADDRESS ON ASSOCIATION RECORDS AND AN EMAIL ADDRESS IF AVAILABLE

AND

TO: HERE NAME **ALL LIEN HOLDERS** AS SHOWN ON THE LARIMER COUNTY REAL ESTATE RECORDS.

ADDRESS: USE ADDRESS ON COUNTY RECORDS AND AN EMAIL ADDRESS IF AVAILABLE.

TO YOU AND EACH OF YOU NOTICE IS HEREBY GIVEN UNDER THE TERMS OF **C.R.S. Sec.38-33.3-316** That on _____ the Board of Directors of Park River West Condominium Association, Inc. ("Association") determined to take legal action thirty or more days after the date of this Notice to collect amounts due for Assessments, Fees, and other sums attributable to UNIT 6xx as specified in this Notice. As a part of the determination the Association has engaged legal counsel and instructed counsel to file a statutory lien for assessments, institute a suit for collection, and to foreclose the statutory lien of the Association securing amounts due no sooner than thirty days from the date of this Notice.

The Unit Owner and Secured Lien Holders of Record have certain rights and prerogatives to address the potential foreclosure, satisfy any judgement, and extinguish the lien for assessments in advance of foreclosure.

Please be informed of the following:

(I) The Association intends to file a Statutory Lien for Assessments if not already on record.

(II) The Association intends to file a lawsuit against the Unit Owner and obtain a personal judgment against the Unit Owner in a civil action.

(III) The Association intends to file a lawsuit against the Unit Owner's property and that, if the court forecloses on the lien, the court will order the sale of the unit at auction to pay the delinquent assessments due to the Association;

(IV) Based on the sale price of the unit at auction, the Unit Owner could lose some or all of the Unit Owner's equity in the unit;

(V) the Unit Owner has a right to participate in credit counseling prior to foreclosure;

(VI) the Unit Owner has a right to participate in mediation with the Association prior to foreclosure; and

(VII) Pursuant to [section 38-33.3-209.5](#) (5)(a)(V)(E), the owner has access to, and instructions on how to access, free online information through the HOA information and resources center created in [section 12-10-801](#) (1) relating to foreclosure by an Association.

To the Unit Owner:

1. CREDIT COUSLING

(a) The Unit Owner has the right to participate in credit counseling at the Unit Owner's expense and that information relating to obtaining credit counseling and the consequences of foreclosure by an Association is available through the HOA information and resource center created in [section 12-10-801](#) (1) or through a link to the federal department of housing and urban development on the department of local affairs' website; and

(b) Credit counseling may include:

(I) Discussion of amounts owed to the Association in unpaid assessments and related costs;

(II) The impact of foreclosure on the Unit Owner's credit;

(III) Additional debt that may be incurred by the Unit Owner if foreclosure by the Association is completed;

(IV) Options available to the Unit Owner to retain title to the unit or to remain in the unit; and

(V) Any other options that may be available to the Unit Owner to avoid foreclosure.

(VI) These are instructions on how to access free online information through the HOA information and resource center created in [section 12-10-801](#) (1) relating to the collection of assessments by an Association, including the Association's ability to foreclose an Association lien for unpaid assessments and force the sale of the Unit Owner's home, and the availability of online information from the federal department of housing and urban development concerning credit counseling before foreclosure. The link to the HOA information and resource center resource list is:

https://dre.colorado.gov/hoa-information-about-assessments/delinquency?utm_medium=email&utm_source=govdelivery

You may also call the HOA Information and Resource Center at Phone: 303-894-2166 | Toll Free: 800-886-7675

The online HUD credit counseling information may be accessed through a link on the Colorado department of local affairs' website <https://cdola.colorado.gov/> or directly at https://answers.hud.gov/housingcounseling/s/?language=en_US.

Or you may contact a HUD counselor through Colorado Housing Connects <https://coloradohousingconnects.org/homeowners-i-need-help-avoiding-foreclosure/>

Other credit counseling options and providers may be available to you in addition to those listed.

2. MEDIATION

(a) the Unit Owner has the right to engage in mediation prior to litigation. To initiate mediation, the Unit Owner must respond within thirty days after the date of the notice.

(b) To participate in mediation, both parties must:

(I) Select a mutually agreeable mediator knowledgeable about C.R.S. Chapter 38 article 33.3 and common interest community disputes; and

(II) Schedule the mediation session within thirty days after the notice provided in accordance with C.R.S. 38-33.3-316 (10.7)(a).

(c) If a Unit Owner fails to comply with C.R.S. 38-33.3-316 (10.7)(b) within thirty days after the notice provided in accordance with subsection C.R.S. 38-33.3-316(10.7)(a), subsection C.R.S. 38-33.3-316(10.7) does not bar the Association from filing a civil action, which is subject to the rest of C.R.S. 38-33.3-316.

To Lien Holders:

The Association does hereby provide written and electronic notice to all lienholders identified on the Unit Owner property records of the pending legal action for foreclosure. The amount of any outstanding assessment and other money owed is as follows:

The total balance due is \$_____. The total Common Expense Assessment balance due is \$_____. The balance is broken down to show you how the total was determined.

For Assessment Year 2023 - Assessment for year 2023_____, Late Fees_____, Collection Fees_____, and accrued Interest_____.

For 2023 unpaid Fines_____, Fees_____, Charges_____, associated interest_____, and Collection Costs_____.

To Unit Owners and Lien Holders:

CURE. You have a right to cure the nonpayment pursuant to [section 38-38-104](#).

MOTION FOR STAY. The Unit Owner has the right to file a motion to stay the sale of the property at auction pursuant to [section 38-38-109.5](#). The decision to grant or deny a stay is that of the court.

PARK RIVER WEST CONDOMINIUM ASSOCIATION, INC. (A COLORADO NON-PROFIT CORPORATION)

BY: _____

TITLE: _____

Certificate of Service

The undersigned hereby certifies that on _____, 2026 the above and foregoing Statutory Notice of Intent to Foreclose together with all attachments, if any, was sent by Certified Mail – Return Receipt Requested to (here insert name of owners(s) and lien holders: **[here insert names and address]**

and by physically posting a copy of the notice at the Unit__ 6XX__.

I further certify on the same date I also informed the Unit Owner(s) and Lien Holders of **record** on behalf of the Association by (check as applicable-must do at least TWO for each person notified):

____(A) Telephone call to a telephone number that the Association has on file because the lien holder, Unit Owner or designated contact has provided the number to the Association. If the Association attempted to contact the Unit Owner or designated contact by telephone but was unable to contact the Unit Owner or designated contact, the Association did, if possible, leave a voice message for the Unit Owner or designated contact.

____(B) Text message to a cellular number that the Association has on file because the lien holder, Unit Owner or designated contact has provided the cellular number to the Association;

____(C) Email to an email address that the Association has on file because the lien holder, Unit Owner or designated contact has provided the email address to the Association; or

____(D) By regular mail, IF THE LIEN HOLDER, UNIT OWNER OR DESIGNATED CONTACT HAS NOT PROVIDED A TELEPHONE NUMBER, CELLULAR NUMBER, OR EMAIL ADDRESS AS ADDITIONAL MEANS BY WHICH TO RECEIVE NOTICES.

I Further certify that I searched the records of the Association in advance of Notice and did not discover a demand for notice in any language other than English or any other designated contact, person or agent to whom duplicate notice is required.

Print Name