



THERE ARE NEW STATUTORY STANDARDS FOR SNOW REMOVAL SERVICES!

On May 30, 2018, Governor Hickenlooper signed into law the Snow Removal Service Liability Limitation Act (“Act”). This Act changes what may and may not be included in a contract for snow removal and will likely have impact on any snow removal contract Associations enter into this winter.

The new statute states that any provision, clause, covenant, or agreement that is part of, or in connection with a snow removal and ice control services contract is against public policy and void if the Snow Remover, by express contract terms or in writing, mitigates a specific snow, ice, or other mixed precipitation event or risk. **A snow removal contract cannot require**, or have the effect of requiring:

- **The Snow Remover to indemnify the Association** for damages resulting from the **acts or omissions of the Association** or the Association’s agents or employees;
- **The Association to indemnify the Snow Remover** for damages resulting from the **acts or omissions of the Snow Remover** or the Snow Remover’s agents or employees;
- **The Snow Remover to hold the Association harmless** from any tort liability for damages resulting from the **acts or omissions of the Association** or **the Association’s agents or employees**;
- **The Association to hold the Snow Remover harmless** from any tort liability for damages resulting from the **acts or omissions of the Snow Remover** or the Snow Remover’s agents or employees;
- **The Snow Remover to defend the Association** against any tort liability for damages resulting from the **acts or omissions of the Association** or the Association’s agents or employees; or
- **The Association to defend the Snow Remover** against any tort liability for damages resulting from the **acts or omissions of the Snow Remover** or the Snow Remover’s agents or employees.

However, the Act does not prevent a Snow Remover from indemnifying itself from acts or omissions by the Association or its Homeowners that causes harm.

**Do you have any HOA questions? Contact us at:
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