

1 **BY AUTHORITY**

2 RESOLUTION NO. CR26-0562  
3 SERIES OF 2026

COMMITTEE OF REFERENCE:  
Community Planning and Housing

4 **A RESOLUTION**

5 **To waive the City and County’s right of first refusal and right of first offer**  
6 **provided by State law pursuant to C.R.S. § 29-4-1202 and C.R.S. §29-4-1203,**  
7 **respectively.**

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9 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

10 **Section 1.** During the 2024 General Session of the General Assembly of the State of  
11 Colorado, House Bill 24-1175 was enacted and signed into law by the Governor of the State of  
12 Colorado.

13 **Section 2.** House Bill 24-1175 established a right of first refusal for local governments related  
14 to multifamily residential or mixed-used rental property consisting of not less than five units that is  
15 existing affordable housing, excluding mobile home parks, which right of first refusal is codified at  
16 C.R.S. § 29-4-1202. House Bill 24-1175 also established a right of first offer for local governments  
17 related to multifamily residential or mixed-used rental property consisting of not more than one  
18 hundred units and not less than fifteen units and excluding existing affordable housing and a mobile  
19 home park as defined in Section 38-12-201.5(6), which right of first offer is codified at C.R.S. § 29-  
20 4-1203.

21 **Section 3.** Pursuant to C.R.S. § 29-4-1202(g)(l), the governing body of a local government  
22 may waive the right of first refusal provided in C.R.S. § 29-4-1202. Pursuant to C.R.S. § 29-4-  
23 1203(e)(l), the governing body of a local government may waive the right of first offer provided in  
24 C.R.S. § 29-4-1203. Pursuant to C.R.S. § 29-4-1204(5), if a local government has adopted long-  
25 term affordability requirements that are greater than those of House Bill 24-1175, the local  
26 government’s requirements apply and nothing in House Bill 24-1175 overrides any local affordable  
27 housing law.

28 **Section 4.** The City Council for the City and County of Denver passed its Preservation of  
29 Affordable Housing ordinance, Denver Revised Municipal Code § 27-45 *et seq.* in 2000 and  
30 amended it in 2005 and 2026. The long-term affordability requirements in Denver’s Ordinance are  
31 greater than those established in House Bill 24-1175. Pursuant to C.R.S. § 29-4-1204(5), The City  
32 and County of Denver’s long-term affordability requirements apply to Denver, and nothing in House  
33 Bill 24-1175 overrides Denver’s Preservation of Affordable Housing ordinance.

34 **Section 5.** To the extent C.R.S. § 29-4-1204(5) does not completely exempt Denver from all  
35 of the requirements of House Bill 24-1175, the City Council for the City and County of Denver hereby

1 waives the right of first refusal provided in C.R.S. § 29-4-1202 and the right of first offer provided in  
2 C.R.S. § 29-4-1203.

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4 COMMITTEE APPROVAL DATE: April 28, 2026.

5 MAYOR-COUNCIL DATE: May 5, 2026.

6 PASSED BY THE COUNCIL \_\_\_\_\_

7 \_\_\_\_\_ - PRESIDENT

8 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
9 EX-OFFICIO CLERK OF THE  
10 CITY AND COUNTY OF DENVER  
11

12 PREPARED BY: Megan E. Waples, Assistant City Attorney DATE: May 7, 2026

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14 Pursuant to section 13-9, D.R.M.C., this proposed resolution has been reviewed by the office of the  
15 City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
16 ordinance. The proposed resolution is not submitted to the City Council for approval pursuant to  
17 § 3.2.6 of the Charter.  
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19 Miko Ando Brown, Denver City Attorney

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21 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_  
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