

December 2020

Mobile Home Park Oversight Program Update



COLORADO
Department of Local Affairs
Division of Housing



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Introduction

In 2020, the Division of Housing continued to build and implement the Mobile Home Park Oversight Program (MHPOP, or Program) created through House Bill 2019-1309: Mobile Home Park Act Dispute Resolution and Enforcement Program. In addition, the Program was tasked with incorporating the provisions of two additional bills, passed by the Colorado General Assembly and signed into law by Governor Polis on June 30, 2020: House Bill 2020-1196: Mobile Home Park Act Updates and House Bill 2020-1201: Mobile Home Park Residents Opportunity To Purchase. This update summarizes MHPOP’s work since the last program update in December 2019,¹ and includes:

1. The number of constituents contacted by the Division of Housing (Division) about the Program;
2. The number of mobile home parks that registered with the Program in the 2020 calendar year;
3. The revenue generated from registration fees to support the Program, and actual and anticipated expenses to process registrations and resolve disputes between mobile home owners and mobile home park landlords;
4. The number of complaints received by the Program since the complaint and dispute resolution process opened on May 1, 2020;

¹ “Mobile Home Park Oversight Program: December 2019 Program Update.” Colorado Department of Local Affairs, 2019. <https://drive.google.com/file/d/1q9CsQUijLkk-4xWrubrCjf0WqCsLcfpY/view>.





5. A list of the most common issues in complaints received by the Program;
6. An update on mobile home park sales and implementation of House Bill 2020-1201 since June 30, 2020; and
7. An overview of upcoming Program activities in 2021.

The Division will provide the first statutory Annual Report on the Program at the end of Fiscal Year 2020-21, after the complaint and dispute resolution program, which opened on May 1, 2020, has been underway for a full year. The upcoming Annual Report will include a summary of the results of an annual constituent survey conducted by an independent contractor, as well as the remaining information on the complaint and dispute resolution program required by section 38-12-1109 of the Colorado Revised Statutes (C.R.S.).

Constituent Engagement

1. In 2020, Program staff spoke at **17 events** to educate stakeholders about the Mobile Home Park Act (Act) and Program. In January through March, the Program presented and solicited public feedback at in-person events in Adams, Denver, Jefferson, Larimer, Logan, and Montrose counties. Due to the COVID-19 pandemic, the Program held and joined meetings virtually in April through December that were accessible by both video and phone. These events drew approximately **570 attendees**, and included a mix of tenant mobile home owners, mobile home park owners and managers, attorneys, housing organizers, city and county officials, and state legislators (Note: some attendees participated in multiple events).
2. The Program maintained two email lists for members of the public: a general stakeholder email list, which currently includes **792 email addresses**, and an email list for owners and managers of registered mobile home parks (MHP), which has 399 email addresses (Note: many registered landlords are also on the general stakeholder email list). In 2020, the Division used the email lists to share information on:
 - a. Public meetings and trainings;
 - b. Program rulemaking;
 - c. MHP registration information and deadlines;
 - d. The launch of the complaint and dispute resolution program;
 - e. Copies of the “Home Owner Notice” describing tenant home owners’ rights and responsibilities; and
 - f. Important updates and resources related to the COVID-19 pandemic, including information on executive orders and rental assistance programs for tenants and landlords.



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3. The Program has received and addressed approximately **841 calls** to the Program's toll-free phone number and staff phone numbers in calendar year 2020.
4. The Program's public website² drew **12,615 unique viewers** in 2020. The average time viewers spent on the Program's web pages was 2 minutes and 13 seconds.

Program Administration and Staffing

1. In the first half of Fiscal Year 2020-21, the Program hired for the remaining two staff positions allocated in House Bill 19-1309. The Program is now fully staffed with four full-time positions: the Program Manager, Administrator, Specialist, and Coordinator. In addition, the Program has brought on two temporary contractors to assist with Spanish language services and mobile home park registration renewals in 2021. Program staff have over 30 years of combined experience covering the following areas: building and administering regulatory programs; legal and paralegal studies; sociology and human services; database development; and intercultural communications.
2. The Division conducted two public rulemakings in 2020 to amend Program rules and clarify statutory requirements of the Act and Program.³
 - a. The first rulemaking hearing was held on March 6, 2020. In addition to receiving public feedback at stakeholder meetings in January and February on the proposed rules, the Division received **25 public comments** (written and in-person) from members of the public as part of the March 6th rulemaking process.
 - b. The second rulemaking hearing was held on September 30, 2020, and focused on clarifying the requirements in two new bills passed by the Colorado General Assembly during the 2020 legislative session: HB20-1196: Mobile Home Park Act Updates and HB20-1201: Mobile Home Park Residents Opportunity to Purchase . In addition to the public feedback received during virtual stakeholder meetings in August 2020, the Division received **58 public comments** (written and verbal) around the September 30th rulemaking.
3. The Division contracted with the Community Language Cooperative (CLC) to assist with Spanish translation of documents and interpretation at events. As of November 2020, the Program also brought on a full-time contractor who is bilingual in English and Spanish to assist with Spanish language translations and interpretation for members of the public.

² <https://cdola.colorado.gov/mobile-home-park-oversight>.

³ The most recent version of the administrative rules for the Program went into effect on November 30, 2020 and is available on the Program's website: https://drive.google.com/file/d/1_RNBVTM0iuo8gfOw3uKopA-Zg3JK56SN/view?,authuser=0.





4. The Program launched a **Park Search Tool** in August 2020 that allows members of the public to look up registration information for, and any complaints involving, mobile home parks in Colorado. The tool is available on the Division’s website: <https://socgov17-site.secure.force.com/ParkSearch/>.

Mobile Home Park Registration

Initial Registration

The Division **registered 661 mobile home parks** as part of the initial mobile home park registration effort in 2020.⁴ The initial registration of mobile home parks took more time and effort than initially anticipated. The vast majority of initial registration forms and payments - over 500 - were submitted by landlords on paper forms, which required Program staff and contractors to manually enter the registration information and payment into the Program’s online database. In addition, there was a learning curve for landlords and Program staff around the registration application. About 130 registration forms were incomplete or required follow up from Program staff to clarify information provided by the registrant.

The table starting on the next page includes the number of **registered** mobile home parks by county as of December 2020. Also included are the total number of lots, occupied tenant-owned mobile homes, and vacant mobile homes (both tenant- and park-owned), by county, at the time of registration (which was January 2020 for most registered parks in the table below). The Program has contacted existing, unregistered parks not included in the table below, and is working to ensure compliance with the registration requirements in House Bill 19-1309.

Members of the public can look up the names, addresses, and landlord contacts (name of owner or manager only) for registered mobile home parks using the **Park Search Tool** linked above. Individuals wishing to see a list of all registered parks can go to the tool, leave the search fields blank, and click “Search.”

⁴ House Bill 19-1309 required existing mobile home parks in Colorado to submit their initial registration form and fee to the Division before February 1, 2020.





County ⁵	Number of Registered Mobile Home Parks	Total Number of Lots ⁶	Total Number of Occupied, Tenant-Owned Mobile Homes	Total Number of Vacant Mobile Homes ⁷
Adams	49	10,215	9,905	78
Alamosa	9	415	300	28
Arapahoe	19	1,596	1,281	20
Archuleta	1	41	18	3
Baca	1	30	8	7
Boulder	28	3,309	3,056	26
Broomfield	3	955	945	6
Chaffee	16	433	259	29
Clear Creek	9	138	114	5
Conejos	1	16	12	4
Custer	3	84	64	11
Delta	23	402	330	13
Denver	4	280	260	5
Douglas	3	409	401	6
Eagle	18	1,200	1,115	5
El Paso	45	5,933	4,991	174
Elbert	1	76	76	0
Fremont	29	964	789	56

⁵ If the name of a county does not appear in this table, there were no registered mobile home parks located in that county as of December 2020.

⁶ Lots without tenant-owned mobile homes include a mix of park-owned mobile homes, other homes and structures that do not meet the legal definition of a “mobile home” (ex. RVs, camper trailers), and vacant lots.

⁷ This column includes the number of unoccupied mobile or manufactured homes in the park, owned by either the park or an independent home owner, at the time of registration (January 2020 for most registered parks).





County	Number of Registered Mobile Home Parks	Total Number of Lots	Total Number of Occupied, Tenant-Owned Mobile Homes	Total Number of Vacant Mobile Homes
Garfield	28	2,168	1,784	127
Grand⁸	17	518	254	133
Gunnison	15	400	232	43
Huerfano	2	16	6	3
Jackson	1	30	24	6
Jefferson	18	1,783	1,672	19
Kit Carson	7	160	141	20
La Plata	33	1,314	954	33
Lake	3	420	344	13
Larimer	28	4,645	4,377	64
Las Animas	6	250	218	7
Lincoln	4	103	46	6
Logan	13	402	272	92
Mesa	35	2,541	2,192	307
Mineral	1	9	9	0
Moffat	7	342	221	8
Montezuma	16	675	391	23
Montrose	25	1,580	1,058	181
Morgan	14	546	492	33
Otero	4	128	60	47

⁸ Sadly, the Division is aware of one registered park in Grand County that was completely destroyed as a result of the East Troublesome fire.





County	Number of Registered Mobile Home Parks	Total Number of Lots ⁹	Total Number of Occupied, Tenant-Owned Mobile Homes	Total Number of Vacant Mobile Homes
Ouray	3	74	70	1
Park	3	126	69	12
Phillips	2	12	12	0
Pitkin	2	63	56	7
Prowers	4	108	31	16
Pueblo	16	1,542	783	118
Rio Blanco	4	55	46	4
Rio Grande	7	166	110	1
Routt	12	578	524	18
Saguache	2	16	13	0
San Juan	1	8	6	0
San Miguel	1	6	0	0
Summit	5	255	243	4
Teller	6	161	90	15
Washington	1	12	5	0
Weld	45	5,105	4,760	123
Yuma	8	127	119	2
TOTALS	661 registered parks	52,940 lots	45,608 occupied, tenant-owned mobile homes	1,962 vacant mobile homes

⁹ Lots without tenant-owned mobile homes include a mix of park-owned mobile homes, other homes and structures that do not meet the legal definition of a “mobile home” (ex. RVs, camper trailers), and vacant lots.





Registration Renewal & Follow Up with Potential Unregistered Parks

In December 2020, the Division mailed out the 2021 Registration/Renewal Forms and information packet to **992 addresses** - both addresses for MHPs that registered in 2020, and addresses for potential MHPs that may still need to register with the Program.

Over the course of 2020, the Division, in partnership with the Office of Information Technology, devoted significant time and effort to improving the online registration system for mobile home park landlords since its initial rollout in January of 2020, to encourage more landlords to use the online system and reduce the administrative time spent by Program staff and contractors entering paper applications into the Program's database. The Program is strongly encouraging landlords to register their parks online in 2021 if they are able to do so, to allow for faster processing times and help keep Program costs and registration fees down.

In addition, the Program made several improvements to the 2021 Registration/Renewal form and process based on lessons learned from the first year of registration, including:

1. Creating a step-by-step guide with pictures on How to Register a Mobile Home Park;¹⁰
2. Holding a webinar for landlords on how to register their parks on December 18, 2020. Recordings of the webinar, in English and Spanish, are available on the Program website;¹¹
3. Creating new fillable forms, in English¹² and Spanish,¹³ that landlords can use to provide the required physical addresses and information on the lots and homes in the MHP;
4. Clarifying the definitions of "occupied" and "vacant" mobile homes through the Program's administrative rules; and
5. Collecting contact information for both the park owner and park manager, and clarifying which individual or entity should be the primary contact for the mobile home park's registration.

The Program anticipates these improvements will make the registration process smoother for all parties in 2021.

¹⁰ https://drive.google.com/file/d/1gI0aVKGubaj5coHX9HApojkhm6_dkwE1/view.

¹¹ <https://cdola.colorado.gov/mobile-home-park-stakeholder-engagement>.

¹² https://drive.google.com/file/d/1dZMI_iOxlqTIJAhWsS3ULvQS4KWvtge-/view.

¹³ <https://drive.google.com/file/d/1NUetgKNL3o3C-A2uplKQI3mipbIB7yaV/view>.





Complaint and Dispute Resolution Program

The Program received **102 complaints** between May 1, 2020, when the complaint and dispute resolution process opened, and December 30, 2020.

1. Ninety-eight complaints were submitted by tenants, and four were filed by landlords.
2. **Seventy complaints** have been reviewed and are under investigation. Several of the complaints under investigation include issues that have been resolved by the parties with the help of the Division, even if the complaint is not fully closed.
3. The Program did not have jurisdiction over three complaints, either because the person making the complaint was not a “mobile home owner” (they rent the home or live in a structure that is not considered a “mobile home” under state law¹⁴) or did not live in a “mobile home park” (as defined in statute as, among other factors, a community having five or more mobile homes¹⁵).
4. The number of complaint forms received by county is:

Adams: 23	Mesa: 4	Montrose: 2
Larimer: 22	Broomfield: 3	Arapahoe: 1
Boulder: 11	Gunnison: 3	Clear Creek: 1
Weld: 10	Jefferson: 3	Delta: 1
El Paso: 8	Garfield: 2	Lake: 1
Fremont: 4	La Plata: 2	Pueblo: 1

5. The Division’s complaint form allows the person(s) making the complaint to select from a list of 22 common landlord-tenant issues that are covered under the Mobile Home Park Act.¹⁶ To make the complaint process more accessible to people without an attorney, the Division allows tenants and landlords to select the general issue(s) they are concerned about on their complaint form, rather than identifying a specific section(s) of the law when they make a complaint.¹⁷ The table on the next page lists the most common issues selected on the complaint forms received by the Division in 2020 (note: more than one issue may be selected on each form).

¹⁴ C.R.S. § 38-12-201.5(5). 8 CCR 1302-15, Rule 1.1.

¹⁵ C.R.S. § 38-12-201.5(6). 8 CCR 1302-15, Rules 1.2 and 1.3.

¹⁶ https://drive.google.com/file/d/1Ba04_Sm-o43Mg00AgIk262J-yBCLrK2X/view.

¹⁷ 8 CCR 1302-15, Rule 3.9.





Complaint Issues	Number of times the issue was selected on complaint forms in 2020
Maintenance/repairs of premises	37
Health/Safety/welfare of home owner/landlord	36
Other	35
Park rules/regulations	34
Water, sewage, utility lines/connections	33
Retaliation	24
Damage to property	23
Rent Increase	23
Trees	22
Lease/Rental agreement	21
Fences	20
Animals	18
Mobile home/lot appearance	16
Water shutoff	14

The number of complaints received does not necessarily reflect the numbers of individuals who are affected by an issue(s), nor the number of issues individuals may be experiencing.

1. The number of mobile home parks and the number of tenant mobile home owners varies a lot by county.
2. The Program allows tenant home owners and landlords to submit all of their issues on one complaint form. Some complaints involved multiple issues going back several years, and the complexity of the issues in a complaint varies.
3. The Program allows complaints to be submitted by a group or against a group. For example, a group of tenant home owners who have similar concerns may submit complaints separately or as a group.





Therefore, a “complaint” may involve one person and one issue, or may involve multiple people with multiple alleged violations of the law.

In addition to the formal complaints that were filed by the Program, the Program was contacted by several tenant home owners facing issues in their parks, and mailed paper complaint forms to a number of residents, who did not ultimately submit a complaint form to the Program. Some of these individuals expressed concerns to the Program about potential retaliation from their landlord if they made a complaint, while others simply wanted the Division to act on its own without following a structured process. House Bill 19-1309 included language prohibiting a landlord from taking any “retaliatory actions” against a home owner for expressing an intention to file or filing a complaint under the Program, and gave the Division authority to impose a fine of up to \$10,000 on a landlord found to have retaliated against a complainant or potential complainant.¹⁸ To help clarify and illustrate this retaliation protection in the statute, the Division adopted a list of actions by a landlord that the Program would presume to be retaliatory through a public rulemaking process in late 2019.¹⁹ In 2020, the Colorado General Assembly added, with only minor adjustments, the Program’s rules on the types of actions that could be considered retaliatory to statute through House Bill 20-1196, effective June 30, 2020. In 2021, the Program anticipates creating educational materials to further clarify the retaliation protections in statute and educate tenant home owners on their rights.

Mobile Home Park Sales

In 2020, the Colorado General Assembly passed House Bill 20-1201: Mobile Home Park Residents Opportunity to Purchase, which went into effect on June 30, 2020. With certain exceptions,²⁰ the law requires mobile home park owners intending to sell their mobile home park to:

1. Give notice to all tenant home owners and the municipality or county where the park is located of the park owner's intent to sell the park;²¹
2. Give notice to each tenant home owner, any homeowners association, the municipality or county where the park is located, and the Division within 14 days after the landlord lists the park for sale.²² Pursuant to 8 CCR 1302-15, Rule 8.1, a park is considered listed for sale when the landlord or their agent offers the property for sale (not, for example, when a brokerage agreement is signed);

¹⁸ This language is codified in section 38-12-1105(13), C.R.S., and updated by House Bill 20-1196, effective June 30, 2020.

¹⁹ The Program’s initial administrative rules on retaliation went into effect on December 30, 2019.

²⁰ C.R.S. § 38-12-217(12).

²¹ C.R.S. § 38-12-217(1)(a).

²² C.R.S. § 38-12-217(2)(a)(I).





3. Give notice to each tenant home owner, any homeowners association, the municipality or county where the park is located, and the Colorado Division of Housing (Division) within 14 days after the landlord intends to make a final, unconditional acceptance of an offer for the sale or transfer of the park;²³
4. Give tenant home owners a 90-day opportunity to make an offer to purchase a park after each notice;²⁴
5. Negotiate in good faith with any group or association of home owners or their assignees who submits an offer to buy the park;²⁵ and
6. If a group or association of home owners are not the successful purchaser of the park, submit the Affidavit of Compliance (linked in the footnotes) to the Division and the municipality or county where the park is located, to demonstrate the landlord’s compliance with the requirements in section 38-12-217.²⁶

Between June 30 and December 31, 2020, the Division became aware of:

1. **Thirteen** mobile home parks that were **sold**;
2. **Four** parks that were **listed for sale**; and
3. **Thirteen** parks that provided notice of the owner’s **intent to accept an offer** for the sale or transfer of the park.

The table below includes a list of communities that were sold or in the process of being sold during this timeframe.

Status	MHP Name	City	County
Sold	Advance MHP (Advance MHP 2020, LLC)	Commerce City	Adams
Sold	Apple Tree Park	New Castle	Garfield
Sold	Bennett Park	Bennett	Adams
Sold	Bluebird MHP (J-Tab Rentals LLC)	Sterling	Logan
Sold	Country Estates LLC	Greeley	Weld
Sold	Downieville Trailer Park	Dumont	Clear Creek
Sold	Globe Meadows (J-Tab Rentals LLC)	Sterling	Logan
Sold	Heaths Mobile Home Park	Montrose	Montrose
Sold	Kings Crown Mobile Home Park (King Homes LLC)	Rifle	Garfield

²³ C.R.S. § 38-12-217(2)(a)(II).

²⁴ C.R.S. § 38-12-217(4).

²⁵ C.R.S. § 38-12-217(5).

²⁶ C.R.S. § 38-12-217(11). The Division has created a standard Mobile Home Park Sale Affidavit of Compliance, available on the Program’s website: https://drive.google.com/file/d/1Hzcui1UGgxcbf4vx_DcN38PXoMPV00IK/view.





Status	MHP Name	City	County
Sold and merged	Mile High Mobile Home Park (previously Mile Hi LLC, now PCP-Commerce City LLC) and Ful Vu MHC	Commerce City	Adams
Sold	Terrace Park	Evans	Weld
Sold	Wagon Wheel MHP LLC	Eckert	Delta
Listed	Mountain Aire MHC (Business Futures, Inc. or Depew Mobile Home Park LLC)	Lakewood	Jefferson
Listed ²⁷	Rams Horn Estates MHC (Ram's Horn Trailer Park)	Craig	Moffat
Listed ²⁸	River Walk Village d.b.a. Country Meadows	Gunnison	Gunnison
Listed ²⁹	Table Mesa Village Mobile Home Park	Boulder	Boulder
Sale offer ³⁰	Black Canyon Estates (Strive Communities)	Montrose	Montrose
Sale offer	Canon City (Strive Communities)	Canon City	Fremont
Sale offer	Cavern Springs (Strive Communities)	Glenwood Springs	Garfield
Sale offer	Elk Valley (Strive Communities)	Craig	Moffat
Sale offer	Lakewood Village Estate Mobile Home and RV Park (Business Futures, Inc. or My Taxes Are Too High LLC)	Lakewood	Jefferson
Sale offer	Pinyon Pine Estates (Strive Communities)	Hayden	Routt
Sale offer	Pueblo Pointe (Strive Communities)	Pueblo	Pueblo
Sale offer	River View (Strive Communities)	Durango	La Plata
Sale offer	Roaring Fork Mobile Home Park	Basalt	Pitkin
Sale offer	Sans Souci (Strive Communities)	Boulder	Boulder
Sale offer	Silver Cliff MHC (COSI Silver Mobile Home Park, LLC)	Silver Cliff	Custer
Sale offer	St Vrain Village (Valley Springs Self Storage Investors LLC)	Longmont	Boulder
Sale offer	Twin Rivers (Strive Communities)	Grand Junction	Mesa

The Division is still collecting information from park owners around the 30 mobile home park sales and potential sales listed above. The owners of five of the “Sold” parks in the table above appear to have made a final, unconditional acceptance of an offer for the sale of the park before June 30, 2020 (the effective date of HB20-1201), even though the sale did not become final until after that date. Among the remaining 25 mobile home parks

²⁷ Newmark listing: <http://araura.listinglab.com/RamsHornEstatesMHC/index.cfm>.

²⁸ Newark listing: http://www.listinglab.com/email/campaign_online.cfm?b=22F646CE-FE3D-4064-A1FCB7A8AFB5F369.

²⁹ CBRE listing: https://www.cbredealflow.com/handler/modern.aspx?pv=Z-I9J549zUFsSziezRAUIIHVdtJUgCsEb9BiwSDuSpAwo1BIZhEZ-gZ4XOIJzIKa#_top.

³⁰ “Sale offer” indicates those parks for which the landlord provided notice to the Division, municipality or county, and/or tenant home owners that the landlord “intends to make a final, unconditional acceptance of an offer for the sale or transfer of the park” pursuant to section 38-12-217(2)(II), C.R.S. The table in this report includes intent to sell notices with a postmark date of December 31, 2020 or earlier.





where the landlord listed the park for sale or appears to have accepted an offer for the sale of the park on or after June 30, 2020:

1. **Fourteen** park owners provided a copy of the required sale notice to the Division; and
2. **Eleven** park owners did not provide a copy of the required sale notice to the Division.³¹

While some of these sales may qualify for an exemption from the notice and opportunity to purchase requirements pursuant to section 38-12-217(12), C.R.S., no park owner has communicated this to the Division to date. To help collect this information, the Division has created a new Mobile Home Park Sale Information Form for exempt park sales (linked in the footnotes and available on the Program's website³²).

Tenant mobile home owners may submit a complaint to the Division if they do not receive the appropriate sale notice(s), or believe they have not been given a fair opportunity to purchase their mobile home park. However, if tenant home owners do not get the required notice(s) ahead of the sale of the park, they may not know to make a complaint to the Program until after a park has been sold. In 2021, the Division will be exploring other options for informing tenant home owners of potential park sales, educating park owners around the notice and opportunity to purchase requirements, and enforcing the provisions of section 38-12-217, C.R.S.

Upcoming Activities

Below are some upcoming Program activities in 2021:

- Investigating and resolving existing as well as new complaints.
- Creating educational materials to further clarify the retaliation protections in statute for tenant home owners and landlords.
- Reviewing and processing 2021 registration renewals.
- Following up with approximately 200 potential "mobile home parks" that did not register before the initial registration deadline of February 1, 2020, including evaluating responses from landlords who believe their community is not required to register under the Program (due to size, ownership structure, etc.).
- Following up with county assessors on remaining unregistered mobile home parks that the Division has been unable to successfully contact because of invalid addresses.

³¹ In two cases, it appears that tenant home owners received the sale notice but the Division did not.

³² <https://drive.google.com/file/d/1K15E61kZ-PqX03EFb4eM1jmc2J6u0qKF/view>.



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- Exploring options for informing the public of potential park sales and educating park owners around the notice and opportunity to purchase requirements in section 38-12-217, C.R.S.
- Holding a virtual training for local government agencies and elected officials on state registration, complaints, and requirements around park sales on January 15, 2021, from 12:00 - 1:30 PM.
- Hiring an independent contractor to conduct the constituent survey for the FY 2020-21 Annual Report.
- Issuing its first Annual Report as required by statute.

