

**POLICY NO. ES-10:  
Real Estate Broker Access to the Village;  
Conduct of Open House Events**

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**POLICY NO. ES-10: Real Estate Broker Access to the Village; Conduct of Open House Events**

**PURPOSE:** This policy and procedure statement provides direction to all staff members involved in monitoring and/or controlling access to the Village and activities within the Village. It also provides guidance to real estate professionals with respect to when and how they may gain access to the Village to show property listed for sale. The Association desires to facilitate the activities of real estate brokers listing or showing property within the Village by adopting procedures that provide convenient access while preserving the privacy expected by Village residents.

**POLICY:** All licensed real estate brokers shall be granted reasonable access to Castle Pines Village for the purpose of conducting real estate marketing activities subject to the procedures outlined herein and the Rules & Regulations of the Association.

**PROCEDURES:**

**I. LISTING AND SHOWING OF REAL PROPERTY WITHIN THE VILLAGE**

**A. REGISTERING NEW LISTING**

The Association's Emergency Services Department, which is responsible for Village access control, registers each new listing in order to maintain a database of homes for sale, including the broker or broker associate<sup>1</sup> who has the listing. This data is used to facilitate access control for all brokers.

When a broker obtains a new listing in the Village, the broker must register the listing with the Association by completing and submitting to the Emergency Services Department a *New Listing Form* as depicted in Exhibit "A". All data on the form must be completed. Forms may be obtained from the Emergency Services Department located in the Castle Pines Homes Association Building at 688 W. Happy Canyon Road.

In addition to the *New Listing Form*, the broker will be required to provide a business card with current address, phone, fax, and email address.

**B. REPORTING CLOSE OF SALE**

Upon the closing of a sale of a property in the Village, the listing broker is responsible for completing and submitting to the Emergency Services Department a *Record of Sale Form* identifying the new owner and the date the sale closed. A sample of the *Record of Sale Form* is attached as Exhibit "B." Forms are distributed with the *New Listing Form* and additional copies may be obtained from the Emergency Services Department.

**C. MARKETING LISTED PROPERTY**

**1. Signage – Pine Cone Plaques**

"FOR SALE" and similar signs are strictly prohibited within Castle Pines Village. To help identify properties for sale, the Association provides plaques displaying a pine cone symbol. The broker name, and an owner or broker contact telephone number

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<sup>1</sup> In this policy statement, the term "broker" is used to identify both the actual broker-of-record for a property as well as the broker associate, if any, working under the broker-of-record's direction.

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may be provided by the listing broker under guidelines provided by Emergency Services. Except as provided in the County Development Guide, the Castle Pines Village Declaration, and other Association organizational documents and in the section below on Open Houses, these pine cone plaques are the only *for sale* signage permitted to be used in the Village.

Pine cone plaques are available at the Castle Pines Homes Association, 688 Happy Canyon Road. Cash or check only are accepted; checks should be made payable to the Castle Pines Homes Association. At the discretion of the Homes Association, a refund may be provided for the fee paid should the plaque be returned in a like-new condition. Please contact the Association office at 303.814.1345 for pricing of the plaque.

No more than two (2) plaques may be displayed at each property for sale. For properties which have a mailbox or bollard light, the pine cone plaques are to be attached to opposite sides of the mailbox post or bollard. If the property is undeveloped, the broker may erect on the property an unfinished 4" x 4" post no more than four feet (4') high, set back at least four feet (4') from the pavement to avoid interference with road maintenance. Plaques are to be placed near the top of the post. Plaques improperly displayed and any prohibited signage is subject to confiscation by the Association and forfeiture of fee paid.

### **2. Showings by Listing Broker**

All prospective buyers must be accompanied at all times by a licensed real estate sales person or a Village resident when within the Village.

Access to the Village is strictly controlled but relatively simple to obtain for legitimate real estate sales persons. To arrange for access,

(A) Call Emergency Services at (303) 688-6447 and give the following information:

- Address of the property to be shown;
- Name of the showing agent or broker;
- Name of the brokerage firm carrying the listing; and
- Approximate time of arrival.

Alternatively, you may *fax* this information to (303) 688-4992. Emergency Services will verify the listing and broker qualifications then relay this information to each gate where the broker's name will be placed on the "to be admitted" list.

(B) Proceed to any staffed Village gate and announce yourself to the gate officer.

The gate officer will confirm that you are on the "to be admitted" list and, if so, will permit access. The gate officer can provide a Village map if necessary.

**BE PREPARED TO SHOW A PHOTO ID**, a business card with current address, phone, fax and email address and/or your real estate sales license.

Once inside the Village, the broker is free to show the listed property and any other Village listings and amenities.

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Both the Castle Pines Golf Club and the Country Club at Castle Pines are private membership clubs and are not open to the public.

### **3. Showings by Other Brokers**

The procedure for brokers other than the listing broker is essentially identical to the Showings by Listing Brokers except that the showing broker will need to identify the brokerage firm with which he or she is affiliated.

## **II. CONDUCTING "OPEN HOUSES" WITHIN THE VILLAGE**

### **A. GENERAL**

The concept of a real estate sales "open house" is generally at odds with normal standards for Village access control because it allows essentially anyone to obtain access to the Village without special invitation or prior arrangement. However, the Association realizes that many Village property owners and their brokers may desire to hold one or more open houses as part of the marketing plan for a property and has developed this policy and procedure to address the special situation.

It is the responsibility of all licensed real estate brokers to abide by the provisions of this policy as well as all rules and regulations of the Castle Pines Homes Association and all applicable Douglas County laws and zoning regulations and resolutions. In particular, Douglas County zoning Resolution Section 29, Sign Standards does not allow the posting of temporary signage along Douglas County Roadways.

**Open houses are a privilege – not a right – and failure to comply with open house rules and procedures may result in the suspension or complete withdrawal of the privilege.**

This policy and procedure addresses three types of open house: (1) Cooperative open houses by two or more brokerage firms, (2) Individual brokerage open houses by a single brokerage firm or property owner and (3) Independent open houses by a single broker. Although rules and procedures for each type are somewhat different any single broker may hold only one open house event each month regardless of the category.

Requests for permission to hold open houses will be considered by the Director of Emergency Services, and permission will be granted in a fair and equitable way as determined by the Association Board of Directors from time to time in its sole discretion. Remember, open houses are a privilege, not a right.

### **1. COOPERATIVE OPEN HOUSE**

Cooperative open houses are self-organized by two or more real estate brokerage firms who each have, individually, at least one (1) current listing in the Village. The organization and conduct of open houses is entirely the responsibility of the organizing brokers.

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Cooperative open houses require the specific prior written consent of the Homes Association which has absolute discretion in granting or withholding permission for such events. Organizing brokers should apply for permission for an open house at least four weeks in advance of the event. Data required with application may include: date, times, expected number of brokerage participants, open houses and visitors/prospects. The organizing brokers are required to pay a non-refundable fee of Fifty Dollars (\$50.00) at the time of application to assure compliance with these rules and procedures. This fee is to offset the costs and expenses incurred by the Association in administering and monitoring the open house event. In the event the Homes Association does not grant permission for the open house, the fee will be returned; there are no other exceptions.

### **2. INDIVIDUAL BROKERAGE OPEN HOUSE**

Individual brokerages with listings in the Village may request permission of the Chief of Emergency Services to hold open houses from time to time. (See frequency below.) Applications should be addressed to the Chief of Emergency Services. To help assure that the date desired is available, individual brokerages are urged to apply as far in advance as possible, but not later than two (2) weeks before the planned open house date. In order to reserve the day for a single brokerage firm, a minimum of five properties must be held open. An individual brokerage firm may hold one, and only one, open house per month. The number of participating properties is limited to fifteen (15) and must be approved in advance by the Director of Emergency Services. There is a non-refundable fee of Fifty Dollars (\$50.00) per open house event.

### **3. INDEPENDENT OPEN HOUSE**

Independent open houses are, perhaps, the most common type of open house. An Independent open house is for a single broker for a single property and may be held on the same days as a Cooperative open house, at the discretion of Emergency Services, or on the same day as an Individual brokerage firm open house event, if the Individual brokerage has less than five properties to be held open (i.e., the day is not reserved), or on the same day as other Independent open houses. An Independent broker open house follows the same procedures as the other types. A non-refundable fee of Fifty Dollars (\$50) is required per open house.

In order to assure scheduling opportunities for all sellers, Emergency Services will reserve one day a month, either Saturday or Sunday, as an "open" day for Independent open houses. The only restriction may be the total number of open houses permitted on that day, in the discretion of Emergency Services.

### **B. OPEN HOUSE REGISTRATION**

The organizing broker(s) are responsible for registering with the Association's Emergency Services Department each property to be included in the open house. Registration data must be delivered to the Emergency Services office during regular business hours at least forty-eight (48) hours prior to the start of the open house.

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**C. PROSPECT/CLIENT REGISTRATION**

Open house guests will be registered and given a pass at a staffed gate or other location approved by Emergency Services. Only approved open house signage is permitted at the registration station.

**D. DAYS, HOURS OF OPERATION**

Open houses will be limited to Saturday and Sunday from 11:00 A.M. until 5:00 P.M. All open houses must be cleared and closed promptly by 5:00 P.M.

**E. SIGNAGE; MAPS; COLLATERAL MATERIALS**

In order to identify properties participating in the open house, the organizing brokers or broker will be required to use standardized signs approved by the Emergency Services Department to identify each participating property. -

Signage requirements for open houses are one "Open House" sign and no more than three directional signs for each open house.

Unapproved signage will be removed by Emergency Services and the broker will be subject to applicable fines.

The organizing broker(s) will be required to provide one or more detailed maps to locate the participating properties. The Director of Emergency Services may require representatives of the participating brokers to distribute the maps at access control points.

Other collateral sales material (such as a list of participating properties) may also be distributed together with the maps.

The placement of signage on Douglas County Roadways outside of Castle Pines Village is prohibited by Douglas County Zoning Resolution Section 29, Signs Standard (attached)

**F. SPECIAL PERSONNEL REQUIREMENTS**

**1) Broker Staff**

Organizing brokers or broker are responsible for assuring that each participating open house is manned by a licensed real estate sales person or host/hostess throughout the entire period during which it is open to the public. No exceptions will be allowed and if any broker participant is found to be in violation of this rule, they may be subject to a fine.

The organizing brokers may be required to provide one or more persons to distribute special open house access passes (provided by Emergency Services), maps, and other materials at the Village gatehouses. The number of such persons and their assigned locations will be determined by the Chief of Emergency Services. A qualified, registered representative of the organizing brokers must remain at each of these posts throughout the hours of the open house.

The Association and the Emergency Services Department will not enforce organizing brokers' open house rules and procedures unless those rules are already included in this procedure or the Association Rules & Regulations.



Exhibit A



**CASTLE PINES EMERGENCY SERVICES**

REAL ESTATE LISTING /SHOWING FORM

HOMEOWNER(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

ADDRESS OF LISTING: \_\_\_\_\_

LISTING AGENT: \_\_\_\_\_

PHONE NUMBER(S): \_\_\_\_\_

REAL ESTATE COMPANY: \_\_\_\_\_

COMPANY PHONE NUMBER(S): \_\_\_\_\_

DATES OF LISTING: FROM \_\_\_\_\_ TO \_\_\_\_\_

I (WE) HAVE LISTED OUR PROPERTY IDENTIFIED ABOVE WITH THE AGENT/FIRM LISTED. I (WE) HEREBY GRANT ACCESS TO SAID PROPERTY TO THE LISTING AGENT AND/OR THEIR AGENTS, AT ANY TIME, FOR THE PURPOSE OF SHOWING THIS PROPERTY. LISTING AGENT/COMPANY IS RESPONSIBLE FOR CLEARING PROSPECTIVE BUYERS AND AGENTS.

HOMEOWNER(S) SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

HOMEOWNER(S) SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

This form can be dropped off/mailed to 688 Happy Canyon Road, Castle Rock, CO 80108 or Fax to 303-688-4992. If you have any questions or to clear prospective buyers/agents, please contact us at 303-688-6447.