

## QUALIFIED HOLDER

### Colorado Revised Statute §38-38-100.3. Definitions.

(20) "Qualified holder" means a holder of an evidence of debt, certificate of purchase, certificate of redemption, or confirmation deed that is also one of the following:

- (a) A bank as defined in section 11-101-401 (5), C.R.S.;
- (b) ~~An industrial bank as defined in section 11-108-101 (1), C.R.S.~~; (Deleted by SB13-154)
- (c) A federally chartered savings and loan association doing business in Colorado or a savings and loan association chartered under the "Savings and Loan Association Law," articles 40 to 46 of title 11, C.R.S.;
- (d) A supervised lender as defined in section 5-1-301 (46), C.R.S., that is licensed to make supervised loans pursuant to section 5-2-302, C.R.S., and that is either:
  - (I) A public entity, which is an entity that has issued voting securities that are listed on a national security exchange registered under the federal "Securities Exchange Act of 1934", as amended; or
  - (II) An entity in which all of the outstanding voting securities are held, directly or indirectly, by a public entity;
- (e) An entity in which all of the outstanding voting securities are held, directly or indirectly, by a public entity that also owns, directly or indirectly, all of the voting securities of a supervised lender as defined in section 5-1-301 (46), C.R.S., that is licensed to make supervised loans pursuant to section 5-2-302, C.R.S.;
- (f) A federal housing administration approved mortgagee;
- (g) A federally chartered credit union doing business in Colorado or a state-chartered credit union as described in section 11-30-101, C.R.S.;
- (h) An agency or department of the federal government;
- (i) An entity created or sponsored by the federal or state government that originates, insures, guarantees, or purchases loans or a person acting on behalf of such an entity to enforce an evidence of debt or the deed of trust securing an evidence of debt; or
- (j) Any community development financial institution fund that has been certified and maintains such current status from the community development financial institutions fund administered by the United States Department of the Treasury, referred to in this section as the "fund". In order to be a qualified holder under this article, the community development financial institution must:
  - (I) Be a legal entity;
  - (II) Have a primary mission of promoting community development;
  - (III) Be a financing entity;
  - (IV) Primarily serve one or more target markets as defined by the fund;
  - (V) Promote development services in conjunction with its financing activities;
  - (VI) Maintain accountability to its defined target market; and
  - (VII) Be a nongovernmental entity and not be under the control of any governmental entity; except that a tribal government is exempt from the requirements of this subparagraph (VII).
- (k) Any entity with active certification under the fund that originates, insures, guarantees, or purchases loans or a person acting on behalf of such an entity to enforce an evidence of debt of the deed of trust securing an evidence of debt; or
- (l) Any entity listed in paragraphs (a) to (k) of this subsection (20) acting in the capacity of agent, nominee except as otherwise specified in subsection (10) of this section, or trustee for another person.