

**STATE OF COLORADO
OFFICE OF THE STATE ARCHITECT
REAL ESTATE PROGRAM - POLICIES AND PROCEDURES
CHAPTER 8 - CCHE LEASING POLICY**

***Special Note: Institutions of Higher Education should check with [CCHE](#) to make sure they are using the most current forms and following the most current CCHE procedures.**

Colorado Commission on Higher Education Leasing Policy

Planning for Leased Space for any Purpose

Any acquisition or utilization of real property by a state-supported institution of higher education, which is conditional upon or requires expenditures of state-controlled funds or federal funds, shall be subject to the approval of the Commission, whether acquisition is by lease, lease-purchase, purchase, gift or otherwise, § 23-1-106(8), C.R.S.

Reporting Requirements for Leases

Electronic reports on leases shall be due to CCHE on the following dates:

- December 15 -should include all leases to be executed January 1 for the next calendar year through June 1.
- May 15- should include all leases to be executed June 1 or for the remainder of the year.

The reports on leases should include the following information:

- Name of institution
- If each lease is new or is a lease renewal
- Names of lessors for each lease
- Square footage of each lease
- Purpose of each lease using national center for education statistics (NCES) code
 - 100 (classrooms)
 - 200 (labs)
 - 300 (office)
 - 400 (study)
 - 500 (special use)
 - 600 (general use)

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- 700 (support)
 - 800 (health)
 - 900 (residential)
 - 000 (unclassified)
 - 999 (nonassigned)
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- Program or function for each lease proposed (i.e., provide improved classroom and support space for master's program in business administration in downtown Denver)
 - Term of each lease (from what date to what date)
 - Address of each leased property
 - Annual cost of each lease
 - Cost per square foot of each lease
 - Source of funding for lease ("cash funded" must be described)
 - Special requirements for each lease, if any

Requirements for Different Categories of Leases

The dollar amount of each lease determines the requirements for CCHE review and approval. The categories and their requirements are:

Leases of less than \$75,000 a year

For leases of less than \$75,000 annually, the institution would report in the appropriate biannual reporting period as established in Part E, 5.01 to CCHE via an electronic filing on a form to be posted on the CCHE web site. Institutions will complete the form and submit it electronically. Staff will review the information submitted for the waiver request and electronically transmit the waiver approval or denial to the institution. This does not take the place of review of the actual executed leases by the state buildings division. Once CCHE approves such leases, they must be included in the appropriate biannual lease report.

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Leases of more than \$75,000 a year

Leases of more than \$75,000 during the lease period will need to be submitted to CCHE as electronic program plans following the requirements outlined in this policy.

For leases greater than \$75,000 annually, the following additional electronic information also will be required on the electronic filing:

- A summary and justification of the lease proposal;
- A brief explanation about why the function or program cannot be housed in existing state-owned or institution space;
- A brief analysis of space needs done in table form;
- A comparative analysis of other possible leased spaces that meet the space requirements located within the targeted area;
- Annual lease and operating costs under the proposed lease term; and
- Time by which the lease needs to be executed.

These leases may not be executed by the institution until approval is received from the executive director or his designee. Once CCHE approves them, the institutions must include them in the appropriate biannual report to be filed electronically.

Reporting to Real Estate Programs

§ 24-30-1303.5(1), C.R.S, “The office shall obtain and maintain a correct and current inventory of all real property owned by or held in trust for the state or any state agency or state institution of higher education, and, in cooperation with the attorney general, correct any defects in title to said real property necessary to vest marketable title in the state.”

Regular reporting to Real Estate Programs is required to maintain an accurate inventory of all state leased property.