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# AI Documentation Readiness Checklist

What Colorado real estate brokerages should document  
as the state's AI rules change.

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**PREPARED FOR**

Colorado real estate brokerages and teams using AI tools in their business.

**A FREE FOUNDER-READINESS CHECKLIST**

Prepared by E&F Compliance Services LLC • [efcompliance.com](https://efcompliance.com)

# Colorado's AI Rules Just Changed

Colorado replaced its original AI law, SB 24-205, before it took effect. The new law, SB 26-189, is set to take effect January 1, 2027. It is lighter than the old version. The mandatory risk-management programs and annual impact assessments are gone. What remains are duties around consumer notice, disclosure after an unfavorable outcome, limited consumer rights, and recordkeeping for tools that materially influence decisions in areas that include residential real estate. This checklist walks you through seven areas to document now, well ahead of the date. It is a starting point, not legal advice. Verify each item against the current statute and rulemaking with a qualified advisor.

## How to use it

Each section has a context line, a document list, and a status row. Mark each section Done, N/A, Research, or Pro help. Tally your Done count on the Readiness Score page near the end. Rules and definitions may still shift through the Attorney General's rulemaking, so treat this as a working draft you revisit.

## SECTION 01 Know Your Role: Developer or Deployer

*The new law assigns different duties to those who build or license AI tools versus those who use them. Most brokerages are deployers.*

- Identified whether your brokerage uses AI tools that influence consumer decisions
- Determined if you are a deployer, a developer, or both
- Noted that off-label uses outside what a tool was marketed for may carry different treatment
- Wrote down which business areas the law's covered domains touch for you

### STATUS

- Verified  N/A  Research  Pro help

## SECTION 02 Inventory Your Automated Decision Tools

*The new law centers on automated decision-making technology that materially influences a consequential decision. Build a list before you can document anything.*

- Listed every AI or automated tool used in the brokerage
- Flagged which tools touch tenant screening, lending, pricing, or other consequential decisions
- Separated out excluded uses such as marketing, scheduling, and customer service triage
- Recorded the vendor and intended use for each tool

### STATUS

- Verified  N/A  Research  Pro help

## SECTION 03 Consumer Notice Before Use

*The law keeps a requirement to notify consumers before a covered tool is used to materially influence a decision about them.*

- Drafted a clear pre-use notice for consumers
- Decided whether a prominent public notice or a direct notice fits each use
- Confirmed the notice describes the tool's role in the decision in plain language
- Saved the notice text and where it is displayed

### STATUS

- Verified  N/A  Research  Pro help

## SECTION 04 Post-Outcome Disclosure Workflow

If a covered tool contributes to an unfavorable outcome for a consumer, the law requires disclosure about the decision and how to respond.

- Built a workflow to disclose information after an adverse outcome
- Defined who on the team owns the disclosure and the timeline to send it
- Confirmed the disclosure explains the decision and the consumer's options
- Documented an example disclosure for staff to reuse

### STATUS

- Verified  N/A  Research  Pro help

## SECTION 05 Consumer Rights: Access, Correct, Human Review

The new law gives consumers facing an adverse outcome a limited right to access information, correct data, and request meaningful human review.

- Created a way for consumers to request access to their information
- Set up a process to correct inaccurate data behind a decision
- Defined how a consumer requests human review and who performs it
- Logged each request and how it was handled

### STATUS

- Verified  N/A  Research  Pro help

## SECTION 06 Recordkeeping and Retention

The new law sets a three-year record-retention requirement running from the date of the consequential decision.

- Set up a system to keep records that show compliance
- Confirmed records are retained for at least three years from each decision
- Stored notices, disclosures, and consumer requests together
- Assigned an owner for the retention process

### STATUS

- Verified  N/A  Research  Pro help

## SECTION 07 Vendor and Developer Documentation

Developers must give deployers documentation about a tool's intended uses, known limitations, and risks. If you use third-party tools, ask for it.

- Requested documentation from each AI vendor on intended uses and limits
- Confirmed whether the tool was marketed for consequential-decision use
- Asked vendors how they will notify you of material updates
- Saved vendor documentation with your tool inventory

### STATUS

- Verified  N/A  Research  Pro help

## Quick Launch Readiness Score

Count how many sections you marked Verified.

Verified	Readiness Position
0 – 2	Just getting started, large gaps remain
3 – 4	Documentation in progress, keep going
5 – 6	Stronger documentation position
7	Strong documentation posture ahead of the effective date

A high score is a starting point, not a guarantee of compliance. Verify each item with the appropriate agency, local building department, licensed professional, or qualified advisor before taking paid work.

## Next Step: Get Your AI Documentation Reviewed

This checklist helps you spot gaps. The next step is building the notices, disclosures, and records so they hold up when the rules and rulemaking are final.

### How E&F Compliance Services Can Help

- **AI Documentation Setup** — We help you build the consumer notices, disclosure workflow, and record system the new law points to.
- **Tool Inventory and Role Review** — We walk your tools, sort covered uses from excluded ones, and map your duties as a deployer.
- **Ongoing Compliance Support** — We track rulemaking and updates so your documentation stays current.

### Ready to talk through your setup?

Reach out for a no-pressure compliance consult.

[team@efcompliance.com](mailto:team@efcompliance.com) • [efcompliance.com](https://efcompliance.com)

### About E&F Compliance Services

E&F Compliance Services LLC helps founders and small operators in heavily regulated industries get compliant and stay compliant — from DOT to AI governance. Based in Colorado. Founded by Cecilia Santiago.

### Disclaimer

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