

10-02 Syndicated Conservation Easements

Date Issued: April 4, 2025

Date(s) Revised: N/A

Purpose: To clarify the treatment of syndicated transactions in the conservation easement tax credit certificate application process and the certification of conservation easement holders.

POLICY: It is the policy of the Colorado Conservation Easement Oversight Commission (“Commission”) that syndicated conservation easement transactions are not eligible for the Colorado conservation easement tax credit. The Commission defines such transactions to include conservation easements contributed by a pass-through entity whose members have been solicited to invest and seek a charitable conservation deduction that is at least 2.5 times greater than the investment, with exceptions for entities that are 90% or more family members, such as family limited liability companies, and entities in which each member has owned the property for more than three years. It is further policy of the Commission that organizations not already certified by the Division, and which seek to become certified, have not acquired any syndicated conservation easements since the original issue date of this policy.