

My HOA Confiscated my \$2000 Landscaping Deposit because my required backyard deciduous tree did not have a 1.5" caliper, and we are talking at most being short by 1/8". Why would any HOA use such a ridiculous measurement to punish one of their homeowners. But that stems more from the vendetta against the homeowner by the President of the HOA.

### The Caliper Measurement

Here is the measurement being made:



This is the measurement that the President used to determine my Caliper. Of course it is a bit too sloppy to justify confiscating a \$2000 deposit. Plus it would not be the acceptable process based on Colorado guidelines. Plus it was taken 12 up from the mulch not the dirt. I have measurements with a proper device that show I was in compliance.



If you zoom in on this measurement you see that it is being taken 12 inches above the mulch.

This was all based on the Spyglass HOA requirement that the tree caliper must be 1.5" at 12 inches above the ground. I didn't initially realize the mistake until a certified arborist showed me that the actual dirt level was 2 inches below the mulch. I made the same mistake when I measured the caliper to be just 1/8" short. I believe it would qualified if the measurement was taken at 12" above the dirt.



The arborist immediately questioned why the requirement to measure a tree caliper of this size at 12 inches was used. The following is from the Colorado Register.

Pursuant to the provisions and requirements of the Colorado Nursery Act to regulate the sale and distribution of nursery stock, and by authority of Title 35, Article 26, Section 111, CRS 1973, the following rules and regulations are hereby promulgated:

## **CALIPER MEASUREMENT**

Caliper of the trunk shall be taken 6 inches above the ground level up to and including 4 inch caliper size and 12 inches above ground level for the larger sizes. Caliper shall be the determining measurement in grading.

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American Standard for Nursery Stock (ANSI Z60. 1-2014) 1.2 Methods of measurement 1.2.1 Measuring caliper For fruit trees (Section 8), small fruits (Section 9), understock (Section 10), and seedling trees and shrubs (Section 11), caliper measurement shall be taken at the root collar or at other points expressly described in those sections.

For all other nursery stock, caliper measurement shall be taken six inches above the ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare, and six inches above the root flare for bare root plants, up to and including the four-inch caliper size interval (i.e., from four inches up to, but not including, 4½ inches). If the caliper measured at six inches is four and one-half inches or more, the caliper shall be measured at 12 inches above the ground level, soil line, or root flare, as appropriate.

Seldom are tree trunks perfectly round. The most accurate measurement will result from the use of a diameter tape. Caliper measurements taken with manual or electronic “slot” or “pincer” type caliper tools should be the average of the smallest and largest measurements.

Reference: “American Standard for Nursery Stock.” Academia.edu, American Hort, 24 Apr. 2016, [https://www.academia.edu/24720533/American\\_Standard\\_for\\_Nursery\\_Stock\\_published\\_by](https://www.academia.edu/24720533/American_Standard_for_Nursery_Stock_published_by).

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## **Common Tools and Methods for Measuring Caliper**

**Diameter Tape (D-Tape):** This is a flexible tape measure that is wrapped around the tree's circumference. It is specially calibrated so that the reading on the tape already converts the circumference into the diameter, making it the most common and precise tool for DBH.

**Tree Calipers:** The caliper's arms are placed on opposite sides of the trunk.

**Circumference/Math:** If you don't have a D-tape, you can measure the circumference with a regular tape measure and divide the circumference by  $\pi$  (approximately 3.1416) to get the diameter.



Here is how the arborist measured the tree caliper.

