

Records Request Policy

1. RECORDS AVAILABLE FOR INSPECTION.

- A. Unless otherwise prohibited by law or this policy, any owner may examine and copy (including receiving copies or other information by email) the Association's books, records, and financial reports from the last five years ("Records"), when requested in accordance with this policy for any reasonable and proper purpose.
- B. An owner may not examine or copy any Records that contains any information about:
 - i. Personnel matters, including but not limited to salary/benefits information, performance reviews, applications, disciplinary action, and health matters;
 - ii. Communications with legal counsel or attorney work product pertaining to potential, threatened, or pending litigation or property-related matters;
 - iii. Contracts or transactions currently under negotiation or information that is contained in a contract or other agreement containing confidentiality requirements;
 - iv. Enforcement of the Declaration, Bylaws, or rules against other owners or occupants; and,
 - v. Matters or issues the disclosure of which is prohibited by state or federal law.

2. **ALL REQUESTS FOR RECORDS MUST BE IN WRITING.** An owner who wants to inspect, copy, or receive any Association Record must submit a written request to the Board or manager using the Association's Request to Inspect Records form. The request must specifically identify the particular Record(s) desired, including pertinent time periods from the five years immediately preceding the request, and state whether the request is for inspection or copying. The request must be sufficiently detailed to allow the Association to retrieve the Record(s) requested, and must include the purpose of the request. The Board will only approve requests containing a reasonable and proper purpose for inspection.

3. **ONLY OWNERS OR AUTHORIZED REPRESENTATIVES MAY INSPECT.** Every owner has the right to inspect, copy, or receive Association Records when in compliance with this policy. An owner may authorize, in writing, an attorney or other designated representative to conduct this inspection or request copies on the owner's behalf.

4. RULES OF CONDUCT AND PROCEDURE GOVERNING REQUEST TO INSPECT/COPY.

- A. To the extent an owner is not able to obtain Records on the Association's website or management portal, an owner may inspect Records rather than receive copies by email or regular mail upon request. All inspections will take place at the Association's office or at such other location as the Board designates. Removing original Records from the location where the inspection is taking place is prohibited.
- B. The Association will make Records available for inspection within a reasonable time, but no more than 5 business days, after the Association actually receives the written inspection request. This time frame may be extended if the Records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable. The Association will notify the owner (by telephone, in person, by email, or in writing) that the Records are available and specify the time, date, and place for the inspection.
- C. If the owner requests to receive documents by regular mail or email, the Association will provide the requested Records within a reasonable time, but no more than 10 business days, after the

Association actually receives the written inspection request. This time frame may be extended if the Records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable.

- D. Owners are prohibited from altering any Association Records.
 - E. All people inspecting or requesting copies of Records must conduct themselves in a businesslike manner and not interfere with the operations of the Association's office or any other location where the inspection or copying is taking place. The Association, through the Board or manager, will assign one staff person or other Association representative to assist in the inspection. All requests for further assistance and copying during an inspection must be directed only to that one Association-designated person.
 - F. During an inspection, the owner may designate for copying Records by use of a tab, clip, or sticky note upon the page(s) desired.
 - G. Owners may not exercise their inspection or copying rights to harass any other owner or occupant, Board member, manager (or anyone at the management company), officer, director, or employee.
5. CHARGES FOR COPIES/INSPECTION.
- A. Upon written request, the Association will provide draft or approved minutes of Association annual meetings at no charge.
 - B. Other than the Association annual meeting minutes from the previous five annual meetings, the owner must pay:
 - i. \$.20 per page for copying regular or legal-sized records. In addition, the owner must pay a minimum clerical fee of \$20.00 for the copying of up to 50 pages plus an additional clerical fee of \$ 10.00 for every increment of 50 pages copied thereafter;
 - ii. \$.20 per page to scan in and email any paper or printed documents, plus a minimum clerical fee of \$20.00 for the scanning up to 50 pages, plus an additional clerical fee of \$10.00 for every increment of 50 pages scanned in thereafter;
 - iii. \$.20 per page to email any documents or other information that is already in electronic format; and,
 - iv. \$50.00 per hour, in quarter hour increments, for administrative costs associated with organizing and emailing electronic copies of Records
 - C. To preserve the sanctity of the Records, a physical records inspection requires the presence of a staff member. For inspections that last greater than one hour, the Association may, on its own or through the manager, charge the requesting owner an hourly rate, not to exceed \$ 50.00 per hour, to be billed in quarter hour increments for staff or other representative attendance at the records inspection beginning at the time the inspection was scheduled to begin.
 - D. The owner must pay the costs of copying, providing, or inspection at the time of billing for copies or actual inspection. However, the Board may, in its sole discretion, require advance payment.