

## ASSOCIATION RECORDS REQUEST POLICY

**WHEREAS**, as required by the Colorado Common Interest Ownership Act, this policy outlines the process and requirements necessary to review and reproduce Association business records.

**THEREFORE**, be it resolved that the following process will be used when Association business records are requested.

Association business records may be reviewed by the following parties:

- An Owner
- A beneficial Owner whose membership interest is held in a voting trust
- Any other beneficial Owner of a membership interest who establishes beneficial ownership
- An Owner's designated agent

The following requirements must be completed for a records request to be reviewed and fulfilled:

1. The attached "Request to Review Business Records" application must be properly completed and submitted at least ten full business days prior to the time that an Owner or Owner's properly-authorized representative would like to review the business records. If the application is not properly completed as determined by the Association, the applicant/Owner will be notified accordingly to resubmit the application.
2. If the Owner challenges the need to revise and resubmit the application, the application will be referred to the Board of Directors for review as soon as reasonably possible.
3. If the Owner challenges the decision of the Board of Directors, the Owner may submit his/her request to mediate with each party paying their own mediation costs.
4. Records will only be available for review with a pre-determined appointment set by the Association within 10 days of the request. All appointments will be during normal business hours and during the business week (Monday - Friday, holidays excluded). In the alternative, such records may be made available at the next Board meeting if such meeting is held within 30 days of the request.

The following records are available for review by an Owner or Owner's representative:

- Approved board meeting, special meeting and annual meeting minutes
- Owners' list which includes the name, mailing address, and number of votes allocated to that Owner
- Association financial records approved by the Board of Directors
- Individual payment record for the Owner requesting that information
- Articles of Incorporation

## **ASSOCIATION RECORDS REQUEST POLICY**

- Declarations
- By-Laws
- Rules and Regulations
- Residential Improvement Guidelines & Site Restrictions
- Amendments to any governing documents listed above
- All written communications within the past three years to Owners overall (not specific Owner correspondence)
- Board member names, email addresses, and mailing addresses
- Approved vendor contracts
- Approved audit reports (if any) for the past three years
- Records of receipts and expenditures affecting the operating and administration of the association;
- Records of claims for construction defects and amounts received pursuant to settlement of those claims;
- Written communications among, and the votes cast by, Board members that are directly related to actions taken by the Board without a meeting;
- Most recent annual report delivered to the Secretary of State;

The following records are not available for review by an Owner or Owner's designated representative. All records not specifically listed above plus the following list which may not be all encompassing:

- Personal information such as phone numbers, bank account numbers, social security numbers, employment information or any other personal information of any Owner
- Confidential personnel records
- Confidential attorney-client privileged legal files
- Inter-office memoranda, emails, preliminary data, working papers, bids, drafts and any other information or investigations which have not been formally approved by the Board of Directors
- Payment information for Owners other than the requesting Owner's information
- Executive session meeting discussions and records

### **What specific details about the records inspection should the qualified member be aware of?**

- Due to the contracted responsibilities of the managing agent, a representative of the managing agent will be present at all times during the inspection of records.

**ASSOCIATION RECORDS REQUEST POLICY**

- Bound papers are not to be unbound or disassembled.
- Documents to be copied will be paper-clipped.
- No reproduction or photographic equipment is to be brought into the Association's office. Only staff members will reproduce the requested copies and those copies will be available for pickup within five business days, once full payment has been made.
- The Owner will pay for the Association's cost of copies prior to receipt of the copies at \$.15/page. Electronic copies will not be charged a per page fee, if the Owner provides the media; however, the hourly charge below will apply.
- The Association will pay for the hourly cost of document retrieval and copying up to one (1) hour. After one-hour, the Owner will be required to pay \$25/hour.

*Adopted by the Board of Directors on November 21, 2016*

**ASSOCIATION RECORDS REQUEST POLICY**

**APPLICATION TO REVIEW BUSINESS RECORDS**

*All portions of this request application must be fully completed and legible.*

Name (person requesting records): \_\_\_\_\_

Association Property Address: \_\_\_\_\_

Mailing Address (if different from above): \_\_\_\_\_

Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

Are you an Owner of Master Homeowners Association for Green Valley Ranch? \_\_\_\_\_

*If you are not an Owner of the Association, please attach your original written authorization from the Master Homeowners Association for Green Valley Ranch Owner you represent.*

Please provide in reasonable particularity the records you would like to review and the reason for each of the records requested.

Description of record	Date of Record
_____	_____
_____	_____
_____	_____

I understand that I will be responsible for the prepayment of hard copy costs of \$0.15 per page plus any other costs incurred by the Association for retrieval and production of the documents.

\_\_\_\_\_ (initials)

All of the information provided above is true and complete to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Upon receipt of this fully and properly completed application, applicant will be contacted to schedule a date and time for the appointment.

**ASSOCIATION RECORDS REQUEST POLICY**

**APPLICATION TO REVIEW BUSINESS RECORDS**

*(continued)*

For Office use only

Application Received Date: \_\_\_\_\_ By: \_\_\_\_\_

Is the completed Business Records Review Validation form attached hereto? \_\_\_\_\_

Scheduled Appointment Date: \_\_\_\_\_ Time: \_\_\_\_\_ (employee initials)

Length of Inspection/Research: \_\_\_\_\_ Cost of Copies: \_\_\_\_\_

\_\_\_\_\_

Managing Agent/Representative Signature

\_\_\_\_\_

Title

Additional Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_