

**The Estates at Stone Ridge Owners Association, Inc.**

**Policy Regarding Inspection and Copying of Association Records**

Effective: May 18, 2020.

**I. Policy Purposes**

This policy sets forth the procedures to be used by Owners when requesting to inspect and or copy Association records; how requests will be processed, how copy costs will be calculated; and also to protect the Association from abusive records requests.

**II. Maintenance of Association Records**

The Association shall maintain all records required to be maintained by CCIOA and the Association Documents. Specifically, the Association shall maintain the following, all of which shall be deemed to be the sole records of the Association for purposes of document retention and production to Owners:

- A. Detailed records of receipts and expenditures affecting the operation and administration of the Association;
- B. Records of claims for construction defects and amounts received pursuant to settlement of those claims;
- C. Minutes of all meetings of its Owners and Board, a record of all actions taken by the Owners or the Board without a meeting, and a record of all actions taken by any committee of the Board;
- D. Written communications among, and the votes cast by, executive Board members that are:
  - 1. Directly related to an action taken by the Board without a meeting pursuant to C.R.S. § 7-128-202; or

2. Directly related to an action taken by the Board without a meeting pursuant to the Association's Bylaws;
- E. The names of Owners in a form that permits preparation of a list of the names of all Owners and the physical mailing addresses at which the Association communicates with them, showing the number of votes each Owner is entitled to vote;
- F. Its current declaration, covenants, bylaws, articles of incorporation, rules and regulations, responsible governance policies adopted pursuant to C.R.S. § 38-33.3-209.5, and other policies adopted by the Board;
- G. Financial statements as described in C.R.S. § 7-136-106, for the past three (3) years and tax returns of the Association for the past seven (7) years, to the extent available;
- H. A list of the names, electronic mail addresses, and physical mailing addresses of its current Board members and officers;
- I. Its most recent annual report delivered to the Secretary of State;
- J. Financial records sufficiently detailed to enable the Association to comply with C.R.S. § 38-33.3-316(8), concerning statements of unpaid assessments;
- K. The Association's most recent Reserve Study, if any;
- L. Current written contracts to which the Association is a party and contracts for work performed for the Association within the immediately preceding two (2) years;
- M. Records of Board or committee actions to approve or deny any requests for design or architectural approval from Owners;
- N. Ballots, proxies, and other records related to voting by Owners for one (1) year after the election, action, or vote to which they relate;

- O. Resolutions adopted by its board of directors relating to the characteristics, qualifications, rights, limitations, and obligations of members or any class or category of members; and
- P. All written communications within the past three (3) years to all Owners generally as owners.

### **III. Documents That May Be Withheld**

The following records maintained by the Association may be withheld from inspection and copying to the extent that they are or concern:

- A. Architectural drawings, plans, and designs, unless released upon the written consent of the legal owner of the drawings, plans, or designs;
- B. Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation;
- C. Communications with legal counsel that are otherwise protected by the attorney-client privilege or the attorney work product doctrine;
- D. Disclosure of information in violation of law;
- E. Records of an executive session of the Board; and
- F. Records of individual units other than those of the requesting owner.

### **IV. Documents That Must Be Withheld**

The following records maintained by the Association are not subject to inspection and copying, and must be withheld, to the extent that they are or concern:

- A. Personnel, salary, or medical records relating to specific individuals; or
- B. Personal identification and account information of members, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers.

**V. Procedure for Requesting Inspection and/or Copying of Records**

- A. **Written Request.** Any Owner seeking to inspect or copy Association records shall submit a written request that includes:
1. The requesting Owner's name, address, telephone number, and electronic mail address, if applicable;
  2. The date of the request;
  3. The purposes of the request;
  4. A description with reasonable particularity of the records being requested;
  5. Whether the Owner wishes to review the records at the Association's principal office, or if the Owner wishes to pay the Association's estimated cost of labor and material for production and reproduction of the records, and if so, whether he or she prefers to receive such copies by mail or through an electronic transmission, if available.
- B. **Review of Request.** Upon receipt of a written request, the Association's managing agent, or if none, the Association's Secretary shall review the request to determine whether the purpose of the request is proper; whether it describes the requested records with particularity; and whether the requested records are relevant to the purpose of the request.
- C. **Production of Association Records for Inspection and, or, Copying.**
1. *Form of Records.* The Association may maintain the required records in written or electronic form.
  2. *Delivery.* The Association shall produce such documents that are requested for a proper purpose, described with particularity, and that are relevant to the purpose of the request, or provide a

written explanation of the reasons for denying such a request, on or before ten (10) business days of its receipt of the request.

3. *Costs.* The Association may impose a reasonable charge, which may be collected in advance, to cover the costs of labor and material for copies of the Association's records. Labor shall be charged at a rate of \$20.00 per hour and materials for printed copies shall be charged at a rate of \$1.00 per page. Copies of documents provided on electronic media shall be charged the actual cost of the electronic media.