

6 INSPECTION OF RECORDS POLICY

6.1 POLICY

Owners and their mortgagees shall have the right to examine the books and records of the Association at any reasonable time at the office of the Association and upon reasonable notice. Copies are available at reasonable cost. Many of the records are kept on the Association's web page for review.

6.2 RECORDS AVAILABLE FOR INSPECTION:

1. Records of the current fiscal year's receipts and expenditures affecting the operation and administration of the Association;
2. Records of claims for construction defects and amounts received pursuant to settlement of any such claims;
3. Minutes of all meetings of Owners;
4. Minutes of all meetings of Board members (except records of executive sessions of the Board);
5. Records of actions taken by the Owners without a meeting;
6. Records of actions taken by the Board without a meeting, including written communications and e-mails among Board members that are directly related to the action so taken;
7. Records of actions taken by any committee of the Board without a meeting;
8. A list of the names of the Owners in a form that permits preparation of a list of the names and mailing addresses of all Owners, as well as the number of votes each Owner is entitled to vote;
9. The Association's governing documents which are comprised of:
 - a. The Declaration;
 - b. The Bylaws;
 - c. The Articles of Incorporation;
 - d. Any rules and regulations and/or Architectural guidelines; and
 - e. Any policies adopted by the Board, including the Association's responsible governance policies.
10. Financial statements for the last three years, which at a minimum shall include the balance sheet, the income/expense statement, and the amount held in reserves for the prior fiscal year;
11. Tax returns for the last seven years, to the extent available;
12. The operating budget for the current fiscal year;
13. A list of the Association's current assessments, including both regular and special assessments;
14. The result of the Association's most recent available financial audit or review, if any;
15. A list of the Association's insurance policies, which shall include the company names, policy limits, policy deductibles, additional named insured, and expiration dates of the policies listed;
16. A list of the names, e-mail addresses and mailing addresses of the current Board members and officers;
17. The most recent annual report delivered to the Secretary of State;
18. A ledger of each Owner's assessment account;
19. The most recent reserve study, if any;
20. Current written contracts and contracts for work performed for the Association within the prior two years;
21. Records of Board or committee actions to approve or deny any requests for design or architectural approval from Owners;
22. Ballots, proxies and other records related to voting by Owners for one year after the election, vote or action to which they relate;
23. Resolutions adopted by the Board;
24. All written communications sent to all Owners generally within the past three years; and
25. A record showing the date on which the Association's fiscal year begins.

6.3 RECORDS NOT AVAILABLE FOR INSPECTION

1. Attorney client privileged documents and records, unless the Board votes to remove such privilege;
2. Current or ongoing contract negotiations that are currently being negotiated and that could have a

- negative impact if disclosed prior to the approval;
3. Documents that would be confidential under statutory or judicial requirements;
 4. Records of executive sessions of the Board;
 5. Individual Lot files other than those of the requesting Owners;
 6. Personnel, salary or medical records relating to Individuals; and
 7. Personal identification and account information of Owners, including bank account information, driver's license numbers, social security numbers, email addresses and telephone numbers.

Notwithstanding the above, if an Owner or resident has provided the Association with his or her express written consent to disclose his or her email address or phone number, the Association may publish that information to other Owners or residents. If the Owner or resident revokes his or her consent in writing, the Association shall cease making available for inspection the Owner's or resident's email address or phone number after the receipt of such revocation, but the Association need not change, retrieve or destroy any document or record published by the Association prior to the Association's receipt of such revocation.

6.4 PROCEDURE TO REQUESTS RECORDS NOT AVAILABLE ON THE WEBSITE

For records not available on the CCPHA's website a written request must be submitted to the Board of Directors. A description with reasonable detail of what records are requested must also be stated. Requested documents shall not be used by any owner for commercial purposes.

The membership list may not be used for any of the following purposes:

1. To solicit money or property unless such money or property will be used solely to solicit the votes of the Owners in an election held by the Association;
2. For any commercial purpose; or
3. Sold to or purchased by any person or organization.

The request must be submitted to any member of the Board via e-mail or other written request.

6.5 INSPECTION/COPYING ASSOCIATION RECORDS

An Owner or his/her authorized agent is entitled to inspect and copy any of the books and records of the Association, as listed above, subject to the exclusions set forth above, upon submission of a written request to the Association describing with reasonable particularity the records sought. The Association shall provide access to the requested records by:

1. Making the requested records available for inspection and copying by the Owner within 10 days of the Association's receipt of such written request, which inspection shall be during the regular business hours of 8:00 a.m. to 5:00 p.m.; or
2. Making the requested records available for inspection and copying by the Owner during the next regularly scheduled Board meeting occurring within 30 days of the Owner's request; or
3. E-mailing the requested records to the Owner within 10 days of the Association's receipt of such written request, if so requested by the Owner.

6.6 BOARD'S RIGHT TO EXAMINE

During the examination the Association reserves the right to have a Board member or its agent observe as the records as reviewed. The Association is under no obligation to create records that do not exist or compile records in any particular order. During the examination no records will be removed, altered, destroyed or marked on.

The Association may impose a reasonable charge covering the cost of labor and material, for copies of Association records. The Association may require a deposit equal to the anticipated actual cost of the requested records. Failure to pay such deposit shall be valid grounds for denying an Owner copies of such records. If after payment of the deposit it is determined that the actual cost was more than the deposit, Owner shall pay such amount prior to delivery of the copies. If after payment of the deposit it is determined that the actual cost was less than the deposit, the difference shall be returned to the Owner with the copies.