

SUNSET VALLEY HOMEOWNERS ASSOCIATION, INC.

POLICY #002: ASSOCIATION RECORDS AND RETENTION POLICY

The following procedures adopted by Sunset Valley Homeowners Association, Inc. ("Association") pursuant to the provisions of the Association Documents, C.R.S. §38-33.3-209.5, C.R.S. §38-33.3-209.4, §38-33.3-317, and The Act, at a regular meeting of the Board of Directors.

Purpose: The Act establishes the obligation of the Association to keep adequate records and give all members the right to examine and copy the financial and other records of the Association for a proper purpose. This Policy has been adopted to: establish uniform procedures for the inspection and copying of Association records by Association members; to establish the type of records kept by the Association or its agent and where they are stored, including the availability of records on a website; and to establish the cost of copying Association records. This Policy also facilitates delivery or transmission of written statements to permitted persons or organizations describing the amount of unpaid Assessments currently levied against any Unit.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following Policy governing copying and retaining Association records:

1. **Association Record Retention.** The Association shall maintain permanent records in accordance with C.R.S. §38-33.3-317, a record of all actions taken by a committee of the Board in place of the Board on behalf of the Association, and a record of all waivers of notices of meetings of members and of the Board or any committee of the Board. The Association shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time.
2. **Records to be maintained at Associations Principal Office.** A copy of each of the following records shall be kept at its principal office, all as they may be amended from time to time:
 - a. **List of Owners.** A record of unit owners in a form that permits preparation of a list of the names and addresses of all owners.
 - b. **Articles of Incorporation.** The Association's Articles of Incorporation or other organizational documents.
 - c. **Declaration.** The Association's Declaration.
 - d. **Covenants.** The Association's covenants and restrictions.
 - e. **Bylaws.** The Association's Bylaws.
 - f. **Policies and Resolutions.** Resolutions and Policies adopted by its Board relating to the characteristics, qualifications, rights, limitations, and obligations of members.
 - g. **Minutes.** The minutes of all member meetings and executive Boards, and records of all actions taken by members or Executive Board without a meeting, and records of actions taken by any committee or Executive Board.
 - h. **Written Communications.** All written communications, including e-mail, and any ballots for votes cast, and all contracts.

- i. **Directors and Officers.** A list of the names and business or home addresses of its current Directors and Officers.
 - j. **Annual Report.** The Association's most recent annual report and annual disclosure to secretary of State.
 - k. **Financial Audits and Reviews.** All financial audits or reviews of the Association. Detailed records of receipts and expenditures affecting operations and administration of Association, reserve study, assessment details and 2 years tax returns.
 - l. **First Mortgagees for each Unit.** A list of the names and addresses of the first mortgages or people holding a deed of trust on any unit.
 - m. **Proof of Insurance.** A proof of insurance from the owner(s) of each unit, detailing the amount and effective dates of insurance for his unit(s), building insurance, and records of claims settlements.
3. **Records to be Reasonably Available for Copying.** All financial and other records of the Association shall be made available for examination and/or copying by any owner's authorized agent(s)
- a. **Reasonable Available.** The term "reasonable available" means available during normal business hours, upon notice of five business days, or at the next regularly scheduled meeting if such meeting occurs within thirty days after the request, to the extent that the request is made in good faith and for a proper purpose, the request describes with a reasonable particularity the records sought and the purpose of the request, and the records are relevant to the purpose of the request.
 - b. **Electronic Availability.** The Association's website, when operational, will contain the Association's available records, including links directly to the records, and information on how to request the record. The Association's email address is 131 N. 6th St, Suite 300, GT, (2-8150) Members are encouraged to use email and to check the www.gjhomes.com/hva website, if operational, for immediate access to frequently requested records and documents. Records are not yet available for access by members on a website.
 - c. **Limitations – Membership Lists.** A membership list or any part thereof may not be obtained or used by any person for any purpose unrelated to a member's interest as a member without the consent of the Board. Without the consent of the Board, a membership list or any part thereof may not be used to solicit money or property unless such money or property will be solely to solicit the votes for the member in an election to be held by the Association, and may not be used for any commercial purpose or sold to or purchased by any person.
 - d. **Additional Limitations.** At the discretion of the Board, certain records may only be inspected in the presence of a Board member or employee of the Board. No records may be removed from the office without the express written consent of the Board. Further, if a member requests to inspect records, the Association may photocopy and provide the requested records to the member in lieu of the member's inspection of the records if the member consents.

4. **Fees.** The Association may charge a fee, which may be collected in advance, but which shall not exceed the Association's actual cost per page, for copies of Association records.
5. **Limited Availability of Certain Records.** Consistent with individual members' right to privacy, attorney-client confidentiality and other considerations, the following records will not be available without the express written consent of the Board:
 - a. **Personnel.** Confidential personnel records.
 - b. **Litigation.** Confidential litigation files and matters covering consultation with legal counsel concerning disputes that are the subject of pending or imminent court proceedings or are privileged or confidential between attorney and client.
 - c. **Misconduct.** Files dealing with investigative proceedings concerning possible or actual criminal misconduct.
 - d. **Privacy.** The disclosure of any matter which would constitute an unwarranted invasion of individual privacy.
 - e. **Work in Progress.** Inter-office memoranda, preliminary data, working papers and drafts, and general information or investigations which are not approved by the Board.
6. **Criteria for Limitation.** In determining whether records may be inspected, the Association shall consider, among other things:
 - a. **Good Faith.** Whether the request is made in good faith and for a proper purpose.
 - b. **Relevant Purpose.** Whether the records requested are relevant to the purpose of the request.
 - c. **No Improper Purpose.** Whether disclosure is for an illegal or improper purpose or would violate a constitutional, statutory provision or public policy.
 - d. **Legal Limitations.** Whether disclosure may result in an invasion of personal privacy, breach of confidence of privileged information, as set forth above.
7. **Abuse of Rights.** The Association reserves the right to pursue any individual for damages or injunctive relief or both, including reasonable attorney's fees, for abuse of these rights.

Automatic Revision: This Policy shall be revised automatically to include any revisions to the applicable statute referenced above.

PRESIDENT'S CERTIFICATION: The undersigned, being the President of Sunset Valley Homeowners Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing Policy #002 was introduced for the first reading at a fully called and held meeting of the Board on 12-11-75, and approved and adopted by the Board at the Board meeting on 12-11-75.

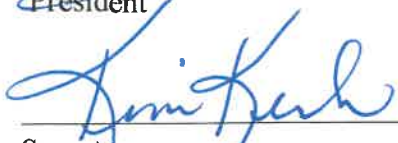
Sunset Valley Homeowners Association, Inc., a Colorado nonprofit corporation



President

1/26/24

Date



Secretary

01/27/24

Date

