

# HIGHLANDS AT VALLEJO HOMEOWNER'S ASSOCIATION, INC.

## INSPECTION OF RECORDS POLICY

The Highlands at Vallejo Homeowner's Association, Inc. adopts the Inspection of Records Policy to read as follows:

As required by Colorado law (CCIOA), this policy outlines the process and requirements necessary to review and reproduce association business records.

### **Persons authorized to review association business records**

- Any member of the Association
- A beneficial owner whose membership interest is held in a voting trust
- Any other beneficial owner of a membership interest who establishes beneficial ownership
- A member's authorized agent or attorney

### **Requirements to review association business records**

- The "Inspection of Records" application must be fully and properly completed and submitted to the Association's management company or agent at least five (5) full business days prior to the time that a member or his properly-authorized representative would like to review the business records. Any member wanting to obtain the current list of members must complete the "Membership List" application in supplement to the "Inspection of Records" application.
- The managing agent and/or Board will determine, at their discretion, if the records request meets the criteria necessary for records examination.
- In the case that a representative of the member makes the request to review records, the properly executed original written representation authorization must be surrendered with the "Inspection of Records."
- Records will be available for review in one of three ways as determined by the managing agent:
  - With a pre-determined appointment set by the managing agent at predetermined location;
  - Sent through electronic transmission, or when necessary, via a mail delivery service, or
  - During the next regularly scheduled Board meeting occurring within 30 days of the Owner's request, at the discretion of the Board.
- The Board and/or managing agent may return improper or incomplete forms to the homeowner or their designated representative. Any resubmitted forms will be treated as new forms and subject to the timeliness outlined in this policy.

**Records available for review by a qualified member or authorized representative**

- Detailed records of receipts and expenditures affecting the operation and administration of the Association.
- Records of claims for construction defects and amounts received pursuant to settlement of those claims.
- Minutes of meetings of unit owners and/or the executive board, records of actions taken by the unit owners or executive board without a meeting, and records of actions taken by any committee of the executive board.
- Written communication among, and the votes cast by, executive board members that are directly related to an action taken by the Board without a meeting pursuant to the Association's Bylaws or C.R.S. 7-128-202.
- The names of unit owners in a form that permits preparation of a list of the names of all unit owners and the physical mailing addresses at which the association communicates with them, showing the number of votes each unit owner is entitled to vote.
- Current declaration, covenants, bylaws, articles of incorporation, rules and regulations, responsible governance policies and other policies adopted by the Board.
- Financial statements for the past three (3) years and tax returns for the past seven (7) years to the extent they are available.
- The list of names, electronic mail addresses and physical mailing addresses of the current members of the Board.
- Most recent annual report delivered to the Secretary of State.
- Financial records concerning statements of unpaid assessments.
- Most recent reserve study, if any.
- 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.
- Records of Board or committee actions to approve or deny any requests for design or architectural approval from unit owners.
- Ballots, proxies, and other records related to voting by unit owners for one year after the elections, action, or vote to which they relate.
- Resolutions adopted by the Board relating to the characteristics, qualifications, rights, limitations, and obligations of members or any class or category of members.
- All written communication within the past three (3) years to all unit owners generally as unit owners.

**Records not available for review by a qualified member or authorized representative without prior express consent of the Board members**

All records not specifically listed above plus the following list which may not be all encompassing:

- Architectural drawings, plans, and designs, unless released upon the written consent of the legal owner of the drawings, plans, or designs.

- Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation.
- Communications with legal counsel that are otherwise protected by the attorney-client privilege or the attorney work product doctrine.
- Disclosure of information in violation of law.
- Records of an executive session or an executive board.
- Records of individual units other than those of the requesting owner.

**Records not available for review by a qualified member or authorized representative**

- Personnel, salary, or medical records relating to specific individuals.
- Personal identification and account information of members, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers.
- Work product and drafts including inter-office memoranda, emails, preliminary data, working papers and notes of Board members or the Association's managing agent, bids, drafts and any other information or investigations which have not been formally approved by the Board

**Specific details regarding the records inspection procedure of which a qualified member be aware**

- Association records, including membership lists, shall not be used by any Owner for:
  - Any purpose unrelated to an Owner's interest as an Owner without consent of the executive board;
  - The purpose of soliciting money or property unless such money or property will be used solely to solicit the votes of the Owners in an election to be held by the Association;
  - Any Commercial purpose;
  - Any purpose related to the selling to or purchasing by any person.
- Bound papers are not to be unbound or disassembled.
- No reproduction or photographic equipment is to be brought to meetings for reviewing documents. Only staff members will reproduce the requested copies, at the Owner's expense, and those copies will be available within five (5) business days after the selected copies have been indicated to the managing agent and upon proper and full payment in advance for the copies and any mail delivery fee.
- The qualified owner will pay for the managing agent's cost of copies prior to receipt of the copies at the current cost for copies paid by the Association.
- The Association will pay for the hourly cost of research, investigation, monitoring and copying as indicated in the managing agreement between our association and the managing agent.

**Standards required to authorize records review**

- All portions of the request application must be fully completed and legible.

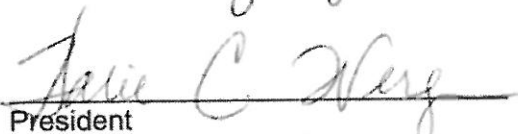
- In the case of an owner's representative requesting the review of records, an original written authorization must accompany the request.
- The request must describe, with reasonable particularity, the records sought.

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
HIGHLANDS AT VALLEJO HOMEOWNER'S ASSOCIATION, INC.**

Pursuant to the requirements of CCIOA, the Board for the Highlands at Vallejo Homeowner's Association, Inc. hereby adopts the foregoing policy. This policy supersedes all previous inspection of records policies dated prior to this policy and is subject to change after Board approval.

The provisions of this resolution shall be in addition to and in supplement of the terms and provisions of the Association's governing documents and the laws of the State of Colorado governing the Association.

BE IT RESOLVED, that the Association approves the "Inspection of Records Policy", effective July 18, 2016.



President

HIGHLANDS AT VALLEJO HOMEOWNER'S ASSOCIATION, INC.