

**RESOLUTION OF
REDCLIFF TWO CONDOMINIUMS OWNERS ASSOCIATION, INC.**

**POLICY AND PROCEDURE FOR
INSPECTION AND COPYING OF ASSOCIATION RECORDS**

Policy #7

SUBJECT: Adoption of a policy and procedures for inspection and copying of records for RedCliff Two Condominiums Owners Association (the "Association").

PURPOSE: To adopt a policy for inspection and copying of Association records.

AUTHORITY: The Declaration of RedCliff Two Condominiums Owners Association (the "Declaration"), Articles of Incorporation and Bylaws of the Association, any amendments thereto (the "Governing Documents") and Colorado law.

EFFECTIVE DATE: November 22, 2021

RESOLUTION: The Association hereby adopts the following procedures regarding inspection and copying of Association records.

1. Current Records. In addition to the requirements set forth under C.R.S. 38-33.3-317 the following records, being the sole records of the Association for purposes of document retention and production to Owners, shall be kept at the Association's office or the office of the Manager:

- (a) An account for each Unit, which shall designate the name and address of each Owner, the amount of each Assessment, the dates on which each comes due, any other fees payable by the Owner as Assessments, the amounts paid on the account and the balance due;
- (b) An account for each Owner showing any other fees payable by the Owner;
- (c) A list of the names and addresses of all Members showing the number of votes each Unit is entitled to cast;
- (d) A list of the names, electronic mail addresses and physical mailing addresses of the current Committee Members and Officers;
- (e) Financial statements of the Association prepared for periods ending during the previous three years;
- (f) The current operating budget;
- (g) Current written contracts to which the Association is a party;

- (h) Detailed records of receipts and expenditures affecting the operation and administration of the Association, including settlement of claims for any construction defect unless those settlements are, by their terms, required to be kept confidential;
- (i) Record of Board of Directors or committee actions taken to approve or deny design or architectural approval requests, excluding proprietary designs, architectural drawings or plans without consent of the legal owner of the designs, drawings or plans;
- (j) The most recent reserve study , if any;
- (k) A record of any unsatisfied judgments against the Association and the existence of and pending suits in which the Association is a defendant;
- (l) A record of insurance coverage provided for the benefit of Owners and the Association including company names, policy limits, policy deductibles, additional insured entities, and expiration dates of the policies listed;
- (m) Tax returns for state and federal income taxation for the past ten years, to the extent available;
- (n) Minutes of all meetings of the Owners and Committee Members, a record of all actions taken by Owners or Committee Members without a meeting, and a record of all actions taken by a committee of the Board of Directors;
- (o) Written communication among and the votes cast by Board of Directors members pursuant to the Association's Bylaws or applicable statutes that are directly related to an action taken by the Board of Directors without a meeting;
- (p) Ballots, Proxies, and other records related to voting by Owners for three years after election, action or vote to which they relate;
- (q) Copies of correspondence between the Association and Owners from at least three most recent years;
- (r) Copies of most recent annual corporate report and financial audit, if any, and
- (s) Copies of the most current versions of the Governing Documents, along with their exhibits and schedules, governance policies, and Board of Directors resolutions, if any.

2. Inspection of Association Books and Records by Members.

- (a) A Member or his/her authorized agent is entitled to inspect and copy, at the Member's expense and during regular business hours at a reasonable location specified by the Association, any of the records of the Association (except as specifically limited or excluded by section 4 below).
- (b) The Member must submit a written request, describing with reasonable particularity the records sought at least ten days prior to inspection or production of the documents.
- (c) The Association may limit examination and copying times to normal business hours or the next regularly scheduled Board of Directors meeting if the meeting occurs within 30 days of the request.

3. Membership List. Without the consent of the Board of Directors, a membership list or any part thereof may not be obtained or used by any person for:

- (a) Solicitation of money or property unless such money or property will be used solely for the purpose of generating materials or holding meeting to solicit the votes of the Members in an election to be held by the Association;
- (b) Any commercial purpose; or
- (c) To be sold or purchased by any person.

4. Exclusions. The following records and documents shall be kept confidential by the Association:

- (a) Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiations;
- (b) Communications with legal counsel and all attorney created documents, including, but without limitation, memos, opinion letters, and draft documents prepared at the behest of the Board of Directors;
- (c) Any documents that are confidential, statutory or judicially imposed requirements;
- (d) Disclosure of information that is in violation of law;
- (e) Records of an Executive Session of the Board of Directors, including records that may give rise to an Executive Session of the Board of Directors;

- (f) Records of individual Units other than those of the requesting Owner;
- (g) Personnel, salary, or medical records relating to a specific individual ; or
- (h) Personal identification and account information of Members, including bank account information, telephone numbers, electronic email addresses, driver's license numbers and social security numbers.

5. Copy and Other Document Fees. — The Association may impose a reasonable charge, covering the cost of labor and materials for copies of any documents the Association provides a Member. The charge may not exceed the actual cost of production and reproduction of the records.

If a Member requests copies of Association documents which are not in the possession of the Association, the Member is responsible for whatever fees and costs are imposed by the entity (CPA, attorney, etc.) holding such records for copy and related costs, including but not limited to labor, material and postage.

The Association is not obligated to compile or synthesize information.

6. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

7. Supplement to Law. The provision of this Resolution shall be in addition to and in supplement of the terms and provision of the Declaration and the law of the State of Colorado governing the Project.

8. Deviations. The Board of Directors may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

9. Amendments. This Policy may be amended at any time by the Board of Directors.

BOARD OF DIRECTORS CERTIFICATION: See signature page.

REDCLIFF TWO CONDOMINIUM OWNERS ASSOCIATION, INC.
RECORDS REQUEST
INSTRUCTIONS FOR RECORDS REQUEST/REVIEW

1. An appointment may be made to review files.
2. File requests can also be submitted in writing by letter, fax, email, or requested by telephone to:
Redcliff Two Condominiums Owners Association
c/o Source HOA Address: 1404 Hawk Pkwy, Unit 215, Montrose, CO 81401
Phone: 970-626-4314
Fax: 970-626-4314
Email: Info@sourcehoa.com
3. All requests should include the following information, if applicable, (or use form on Page 2):
 - (a) Date of request:
 - (b) Company name (if applicable):
 - (c) Requestor name:
 - (d) Requestor address:
 - (e) Requestor telephone number:
 - (f) Requestor email address:
 - (g) Whether Requestor will (A) review records at the Source HOA offices; or (B) pick up copies of records from the Source HOA offices; or (C) have copies delivered to Requestor
4. For the reproduction of materials, please see the attached fee schedule (the "Fee Schedule"). Any copying jobs over 50 pages may go to an outside copy service, with reproduction costs set by the outside copying service. Payment in the form of cash or check must be made at the time the copies are received in person or prior to mailing. A fifty percent (50%) deposit is required prior to embarking on any work on all requests requiring more than an hour of research and/or preparation of documents. We do not accept credit cards.
5. Pursuant C.R.S. § 38-33.3-317(7), Association records and the information contained within those records shall not be used for commercial purposes.
6. Pursuant to C.R.S. § 38-33.3-317(2)(b) A membership list or any part thereof may not be obtained or used by any person for any purpose unrelated to a unit owner's interest as a unit owner without consent of the Board of Directors.

Further, without the consent of the Board of Directors, a membership list or any part thereof may not be:

 - (a) Used to solicit money or property unless such money or property will be used solely to solicit the votes of the unit owners in an election to be held by the association;
 - (b) Used for any commercial purpose; or
 - (c) Sold to or purchased by any person.
7. Please note that Source HOA may require at least ten (10) days to reproduce documents or make them available. Further, Source HOA may elect to make the requested records available at the next RedCliff Two Condominiums Board of Directors meeting.

REQUEST FOR INFORMATION FORM

Date: _____

Requestor Name: _____

Company Name: _____

Requester Address: _____

Telephone Number: _____

Fax Number: _____

Requestor will ☐ review records at the Source HOA offices, or ☐ pick up copies of records from the Source HOA offices, or ☐ copies are to be delivered by Source HOA.

Request:

The undersigned hereby agrees to reimburse Source HOA for the reproduction costs associated with this request in accordance with the Fee Schedule.

Name: _____

Date: _____

*****For Office Use*****

Date Ready: _____

Requested: _____

Found: _____

Files: _____

Type: _____

Date Reviewed: _____

REDCLIFF TWO CONDOMINIUMS OWNERS ASSOCIATION, INC.

RECORDS REQUEST FEE SCHEDULE

Design HOA
PO Box 2156 Montrose, CO 81402
Phone: 970-650-8044
Email: info@designhoa.com

BLACK/WHITE COPIES GENERAL-AGENDAS, MINUTES, etc.	\$0.40 Per Page
COLOR COPIES GENERAL	\$0.75 Per Page
RESEARCH, RETRIEVAL AND DATA MANIPULATION	\$60.00 per hour with 1 hour min.
DUPLICATION AUDIO: CD/DVD'S (VOICE RECORDED)	\$20.00/CD/DVD
MAPS/LARGE DRAWINGS	24x36 printout- \$60.00; 11x17 printout - \$25.00; 8.5x11 printout - \$10.00; E-mail PDF - \$10.00; (Add an additional \$10.00 for maps on CD-ROM in digital format)

All fees for Requests shall be collected at the above address.

A fifty percent (50%) deposit is required prior to embarking on any work on all requests requiring more than an hour of research and or preparation of documents. In addition this deposit shall include estimated legal fees, fees of outside consultants retained on behalf of the jurisdiction, overhead and equipment. This shall also include a charge for supervision and staff time at the set fee of \$40.00 per hour. No copies requested are released until full payment has been received.