

CONTINENTAL VIEW ESTATES HOMEOWNER'S ASSOCIATION
Policy
INSPECTION AND COPYING OF ASSOCIATION RECORDS

Effective Date: May 15, 2006

The Board of Directors "Board" hereby adopts the following Policy for Inspection and Copying of Association Records.

Record Retention. The Association shall permanently retain the following records as required by Colorado law:

- ◆ Minutes of all Board and Owner meetings.
- ◆ All actions taken by the Board or unit Owners by written ballot in lieu of a meeting.
- ◆ All waivers of the notice requirements for unit owner meetings, Board member meetings, or committee meetings.
- ◆ All actions taken by the Architectural Committee.

The Association shall retain for a period of 3 years the following records:

- ◆ Financial documents.
- ◆ Communication to individual Owners.

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, subject to the exclusions, conditions and requirements set forth below:

- ◆ The following documents are available free of charge on the CVEHOA web site, (www.CVEHOA.com):
 - Senate Bill 100 Documents
 - CVEHOA Governing Documents
 - CVEHOA Guidelines
 - CVEHOA Newsletters
 - CVEHOA Board Meeting Minutes
- ◆ The inspection and/or copying of the records of the Association shall be at the Owner's expense.
- ◆ The Owner shall give the Association's Board a written demand, stating the purpose for which the inspection and/or copying is sought, at least five business days before the date on which the Owner wishes to inspect and/or copy such records
- ◆ The Owner shall complete and sign the Agreement Regarding Inspection of Association Records prior to the inspection and copying of any Association record. A copy of the Agreement is attached to this Policy.

- ◆ After inspection of the documents, the Owner may provide a list of documents and pages to be copied. Copies will be made by one or more of the officers of the Association and the Owner will be notified when the copies are ready to be picked up.

Proper Purpose/Limitation. Association records shall not be used by any Owner for:

- ◆ Any purpose unrelated to an Owner's interest as an Owner.
- ◆ The purpose of soliciting money or property unless such money or property will be used solely to solicit the votes for the Owners in an election to be held by the Association.
- ◆ For commercial purpose.
- ◆ For the purpose of giving, selling, or distributing such Association records to any person.
- ◆ Any improper purpose as determined in the sole discretion of the Board.

Exclusions. The following records shall **NOT** be available for inspection and/or copying as they are deemed confidential:

- ◆ Attorney-client privileged documents and records, unless the Board decides to disclose such communications at an open meeting.
- ◆ Any documents that are confidential under constitutional, statutory or judicially imposed requirements.
- ◆ Any documents, or information contained in such documents, disclosure of which would constitute an unwarranted invasion of individual privacy, including but not limited to social security numbers, dates of birth, personal bank account information, and driver's license numbers.

Fees/Costs. Any Owner requesting copies of Association records shall be responsible for all actual per page copy costs incurred by the Association, plus \$75.00 per hour to search and retrieve, the record(s) requested. 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 or inspection of such records. 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. There shall be no cost to any Owner accessing records which are required to be disclosed by Colorado law at no cost to Owners.

Inspection. The Association reserves the right to have a third party present to observe during any inspection of the records by an Owner or Owner's representative.

Original. No Owner shall remove any original book or record of the Association from the place of inspection nor shall any Owner alter, destroy or mark in any manner, any original book or record of the Association.

AGREEMENT
Regarding
Inspection and Copying of Records
Of the
Continental View Estates Homeowners' Association

I have requested to inspect and/or obtain copies of the following records of the Continental View Estates Homeowners' Association (be as specific as possible):

The records shall be used for the following purpose(s) only:

I understand that under the terms of the Colorado Revised Nonprofit corporation Act, Association records may not be obtained or used for any purpose unrelated to my interest(s) as an Owner. I further understand and agree that without limiting the generality of the foregoing, Association records may not be:

- ◆ Used 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.
- ◆ Used for any commercial purpose.
- ◆ Sold to, otherwise distributed to, or purchased by any person.
- ◆ Any other purpose prohibited by law
- ◆ Any purpose not related to the reason specified in this Agreement.

In the event any document requested is used for any improper purpose other than that stated above, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees resulting from such improper use. I will additionally be subject to any and all enforcement procedures available to the Association through its governing documents and Colorado law.

Understood and agreed to by:

Homeowner Signature

Date _____

Address