

INSPECTION AND COPYING OF ASSOCIATION RECORDS BY UNITS OWNERS

1. RECORDS DEFINED

- a. The records available for inspection and copying are those designated by the Colorado Common Interest Ownership Act and the Colorado Revised Nonprofit Corporation Act, as amended from time to time.
- b. The association's board may withhold from inspection any records that in its reasonable business judgment would:
 - i. Constitute an unwarranted invasion of privacy;
 - ii. Constitute privileged information under the attorney-client privilege;
 - iii. Involve pending or anticipated litigation or contract negotiations; and/or
 - iv. Involve the employment, promotion, discipline, or dismissal of a specific board member or employee.

2. PERSONS ENTITLED TO INSPECT OR COPY

Every Owner shall have the right to inspect or copy the Association's records in compliance with the rules and procedures contained in this policy. An Owner may authorize, in writing, an attorney or other designated representative to conduct the inspection or request copies on the Owner's behalf. Any such authorized representative shall be considered an "Owner" for purposes of this policy.

3. WRITTEN REQUEST REQUIRED

Inspection or copying shall be limited to those records specifically requested in advance, in writing. An owner who wants to inspect or copy the association's records shall submit a written request to the Association's Managing Agent. The request must specify the particular record desired, including pertinent dates or time periods, and shall state whether the request is for inspection or copying. The request must be sufficiently detailed to allow the association to retrieve the record(s) requested.

4. INSPECTION RULES

An Owner the Association may inspect and copy any of the Association's records. The records will be made available to an Owner and an Owner's authorized agent for inspection and copying under the following conditions:

- a. The Owner must deliver a written request to the Association's Managing Agent at least five business days before the date on which the Owner wishes to inspect and copy such records.
- b. The records will only be made available during normal business hours.
- c. The records will only be made available at the offices of the Association's Managing Agent. No original records shall be removed from the location where the inspection is taking place. The records shall not be altered in any way.
- d. The Owner's request must be in good faith and for a proper purpose.
- e. The Owner's request must describe with reasonable particularity the records sought and the purpose of the request.
- f. The records sought must be relevant to the purpose of the request.
- g. The Owner must pay for the costs of any copies of the Association's records which he/she makes in connection with the inspection.

5. COPYING RULES

- a. If an Owner wants a copy of any record, the Owner shall designate in writing the record desired. Any written request shall designate the specific record or portion thereof.
- b. During an inspection, the Owner may designate such record by use of a tab, clip, or Post-It note upon the page(s) desired.
- c. Copies shall be available within five (5) working days of receipt of the request, unless the voluminous nature or condition of the records makes this time frame impractical. In such cases, the copies will be made available as soon as is practical.
- d. The Owner shall pay *25 cents* per page for regular- or legal-sized photocopies, payable in cash or by personal check, at the time the copies are picked up by the Owner. However, the Managing Agent may require advance payment in his or her discretion, taking into account such factors as the amount of the copying charge, the Owner's payment record, and other relevant factors.

6. MANNER OF INSPECTION OR COPYING

- a. Owners shall not exercise their inspection or copying rights in order to harass any other owner or resident, association agent, officer, director, or employee.
- b. All people inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operation of the association office

or such other location where the inspection or copying is taking place. The association office, or place of inspection or copying, shall assign one staff person to assist in the inspection. All requests for further assistance and copying during an inspection shall be directed only to that staff person.

- c. The association shall maintain a log detailing:
 - i. The date the written request was received;
 - ii. The name of the requesting party;
 - iii. A list of the requested records;
 - iv. The date the association notified the member that the records were available;
 - v. The date the records were made available;
 - vi. The date of actual inspection or copying; and
 - vii. The signature of the Owner acknowledging receipt of, or access to, the records. Every person inspecting or receiving copies of records shall sign said log or a comparable receipt prior to inspection or receipt of copies.

7. ENFORCEMENT OF INSPECTION & COPYING RULES

- a. Any violation of these rules shall cause the immediate suspension of the inspection or copying until the violator agrees in writing to comply herewith.
- b. The Association will not honor any requests for inspection or copying that do not comply with this policy. Within five working days of receiving the noncompliant request, the Association shall send a written notice to the person who made the request indicating the nature of any noncompliance. Any Association representative who receives an oral request for inspection or copying shall refer the person making the request to this policy, and the Association will have no further obligation to respond until it receives a written request.
- c. The Association's Board may take any available legal action to enforce these rules, including the levy of a fine.

REQUEST FOR ACCESS TO ASSOCIATION BOOKS & RECORDS

Owner name: _____ Date: _____

Address: _____

Tel. #: _____

Pursuant to Colorado Common Interest Ownership Act and the Colorado Revised Nonprofit Corporation Act, as Settler's Village Subassociation (the "Association") provide access to the books and records of the Association.

1. The books and records that I wish to review are (attach separate piece of paper if necessary):

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

2. I certify that my request to review the books and records of the Association is for a proper purpose related to my membership in the Association, and that this request is not for commercial purposes or my personal financial gain. Specifically, my reason for wanting to review the books and records of the Association is as follows:

3. I acknowledge and accept the association's records access and inspection procedures. I acknowledge and accept that the books and records of the Association will be made available to me only at such time and place as the Association's policy provides, and that there may be a cost associated with making these documents available to me. I agree to pay any costs associated with reviewing the books and records of the Association, including but not limited to the actual and reasonable costs of labor and photocopying material. I further acknowledge that these costs may be required of me prior to reviewing the books and records.

Owner signature _____ Date _____