

East Quincy Highlands II Homeowners Association, Inc.
RESPONSIBLE GOVERNING POLICY
In Compliance with Senate Bill 100

POLICY REGARDING REVIEW AND REPRODUCTION OF ASSOCIATION BUSINESS RECORDS

We understand that occasionally Owners in our Community are interested in reviewing and obtaining some of the business records of our Association. We further realize that an inspection of business records may be for honorable purposes or the inspection may be for purposes that are not honorable.

Preparing, assembling, inventorying, copying and monitoring business records is a tedious and time-consuming task that is the unscheduled and unfunded responsibility of the managing agent.

As required by Senate Bill 100, this policy outlines the process and requirements necessary to review and reproduce association business records.

Who may review association business records?

- Any member of the Community.
- 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 agent or attorney.

What requirements must be properly completed to review our association business records?

- The attached "Request to Review Business Records" application must be fully and properly completed and submitted at least five full business days prior to the time that a member or his properly-authorized representative would like to review the business records.
- In the event that the "Request to Review Business Records" application has not been fully and properly completed, the "five full business day time frame" will not commence until such time as the application has been fully and properly completed.
- In the case that a representative of the member makes the request to review records, the original written representation authorization must be surrendered with the "Request to Review Business Records".
- In the event that the "Request to Review Business Records" application is not fully or properly completed (as determined solely by our Managing Agent), the application will be returned with a request to revise and resubmit the application.
- In the event that the member or his representative challenges the need to revise and resubmit the application, the application will be referred to the entire Board of Directors for review. UNDER THESE CIRCUMSTANCES, THE BOARD OF DIRECTORS WILL REACT TO THE REQUEST AS SOON AS REASONABLY POSSIBLE.
- In the event that the member or his representative challenges the decision of the Board of Directors, the member or his representative will be invited to submit his request to binding arbitration with each party paying their arbitration costs.
- Records will only be available for review with a pre-determined appointment set by the managing agent. All appointments will be during normal business hours and during the business week (Monday – Friday, holidays excepted).

What records are available for review by a qualified member or their authorized representative?

- Approved board meeting, special meeting and annual meeting minutes
- List of owners which includes the name, address and number of votes allocated to that owner
- Association financial records approved by the board of directors
- Individual payment record for the qualified member requesting that information
- Articles of Incorporation,
- Declarations
- Bylaws
- Rules and Regulations
- Architectural Guidelines
- Amendments to any governing documents listed above
- All written communications within the past three years to owners generally as owners (no specific unit owner correspondence)

- List of Board Member names and addresses provided by Board members
- Approved vendor contracts
- Approved audit reports (if any) for the past three years

What records are not available for review by a qualified member or their authorized representative without prior express consent of our Board members? All records not specifically listed above plus the following list which may not be all encompassing:

- Phone numbers, social security numbers, employment information or any other personal information of any owner or member in the community.
- Bank account numbers
- Confidential personnel records
- Confidential litigation files
- Inter-office memoranda, emails, preliminary data, working papers, bids, drafts and any other information or investigations which have not been formally approved by the Board of Directors
- Payment information for members other than the qualified member requesting information.
- Minutes of closed executive session meetings

What specific details about the records inspection should the qualified member be aware of?

- Due to the contracted responsibilities of our managing agent, a representative of the managing agent will be present at all times during the inspection of records.
- Bound papers are not to be unbound or disassembled.
- Documents to be copied will be paper-clipped.
- No reproduction or photographic equipment is to be brought into the managing agent's office. Only staff members will reproduce the requested copies and those copies will be available for pickup within two business days and upon proper and full payment for the copies.
- 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.

What are the 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 purpose of the request must be for a proper purpose as determined by our Managing Agent.
- The request must be made in good faith

In law, good faith (in Latin, bona fides) is the mental and moral state of honest, even if objectively unfounded, conviction as to the truth or falsehood of a proposition or body of opinion, or as to the rectitude or depravity of a line of conduct.

- The request must be made for a proper purpose (The general obligation to act in the best interests of the Association).
- The request must describe, with reasonable particularity, the records sought.
- The records must be relevant to the purpose of the request.

**East Quincy Highlands II Homeowners Association, Inc.
Application to Review Business Records**

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

Name (person requesting records): _____

Association Property Address: _____

Mailing Address (if different from above): _____

Phone number: _____ Email: _____

Are you a member of East Quincy Highlands II Homeowners Association, Inc.? _____

If you are not a member of the Association, please attach your original written authorization from the East Quincy Highlands II Homeowners Association, Inc. member you represent.

What is the purpose of and reason for your request? _____

Please provide in reasonable particularity the records you would like to review and the reason for each of the records requested.

Description of record	Purpose of requesting this record	Date of record
_____	_____	_____
_____	_____	_____
_____	_____	_____

I understand that I will be responsible for the prepayment of copy costs at a rate of \$.15 per page. _____
(initials)

I understand that East Quincy Highlands II Homeowners Association, Inc. Association will be charged \$70.00 per hour for research, investigation, copy and monitoring time. _____ (initials)

All of the information provided above is true and complete to the best of my knowledge.

Signature Date

Upon receipt of this fully and properly completed application, applicant will be contacted to schedule a date and time for the appointment.

For Office use only

Application Received Date: _____ By: _____

Is the completed Business Records Review Validation form attached hereto? _____

Scheduled Appointment Date: _____ Time: _____ (employee initials)

Length of Inspection: _____ Cost of Copies: _____

Managing Agent/Representative Signature Title

Additional Comments: _____

Business Records Review Validation

This form is for interoffice use only and must be completed prior to scheduling an appointment with a client to review Association business records. Please do not release to clients.

1. Are all portions of the request application fully completed and legible? _____
2. In the case of an owner's representative requesting the review of records, did we receive an original written authorization with the request? _____
3. Is the request made for a proper purpose (The general obligation to act in the best interests of the Association)? _____
4. Is the request made in good faith? _____
5. Does the request describe, with reasonable particularity, the records sought? _____
6. Are the records relevant to the purpose of the request? _____

Additional Comments: _____

Employee Signature

Date

If lines 1 – 7 are answered "Yes", please set an appointment for the applicant within 5 full business days of the "Application Received Date", located on the fully and properly completed Application to Review Business Records form and notify the applicant of that time and date. Once an appointment has been scheduled, please complete the "Scheduled Appointment Date" and "Time" portion of the application.

If any of lines 1 – 7 are answered "No", please notify the Managing Agent for the Association.