

SAN JUAN VISTA LANDOWNERS' ASSOCIATION, INC.
POLICY REGARDING INSPECTION & COPYING OF ASSOCIATION RECORDS

The purpose of this Policy is to provide a standard procedure regarding a Member/Owner's right to inspect and copy Association records.

This Policy is in compliance with Colorado Revised Statute §38-33.3-209.5, §38-33.3-317 and HB 1237, and the Bylaws of the Association.

RECORDS INSPECTION POLICY

1. Subject to sections 5, 6 and 7 below, Association records shall be made available to Member/Owners (or a Member/Owner's authorized agent provided written proof that the Member/Owner has actually designated that individual as their authorized agent) for inspection and copying. The Member/Owner must submit a written request for records which reasonably describes the records they are seeking to inspect and/or copy at least ten (10) days prior to the inspection or production of the records. Because the Association has no business office where all records are kept, Association records may only be examined in person at the next regularly scheduled Board meeting that occurs after the above ten (10) day request period, provided that said Board meeting is scheduled within thirty (30) days after the request. The Association may also provide copies via e-mail, photocopy or scan.
2. The Association may impose a reasonable charge to the Member/Owner, which may be collected in advance, and which may cover the costs of labor associated with assembling, producing records for inspection and copying the records. The charge may not exceed the estimated cost of production and reproduction of the records.
3. At the discretion of the Association, certain records may only be inspected in the presence of a Board member. No original records may be removed without the express written consent of the Board.
4. The Association shall maintain a copy of each of the following records which are available for Member/Owner inspection and/or copying:
 - a. The Articles of Incorporation, Protective Covenants, Bylaws of the Association.
 - b. All Resolutions, Responsible Governance Policies, and other policies adopted by the Board.
 - c. Minutes of all Board meetings and all annual meetings.
 - d. A record of all actions taken by the Member/Owners or Board without a meeting.
 - e. A record of all actions taken by any committee of the Board.
 - f. Written communications among, and votes cast by, Board members that are directly related to an action taken by the Board without a meeting pursuant to the Association's bylaws.
 - g. All written communications within the past three years sent to and from all Member/Owners.

- h. A list of the names, email addresses & physical mailing addresses of the current Board members.
- i. A list of the names of all Member/Owners & the physical mailing addresses at which the Association communicates with them, showing the number of votes each Member/Owner is entitled to cast.
- j. Ballots, proxies & other records related to voting by Member/Owners for one year after the election, action or vote.
- k. Financial statements.
- l. Detailed records of receipts & expenditures affecting the operation & administration of the Association.
- m. Financial records sufficiently detailed to enable the Association to provide an Member/Owner with a written statement stating the amount of unpaid assessments currently levied against the Member/Owner.
- n. Tax returns of the Association for the past seven years.
- o. All financial audits.
- p. The most recent Annual Report delivered to the Secretary of State.
- q. The Association's most current reserve study.
- r. Records the Association is required to disclose within ninety days of the end of the fiscal year as required by statute.
- s. Current written contracts to which the Association is a party and contracts for work performed within the past two years.

5. Records on file that will not be made available for copying or inspection without the written consent of the Board:

- 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 that are otherwise protected by attorney-client privilege or the attorney work product doctrine.
- c. Disclosure of information in violation of the law.
- d. Records of an executive session of the Board. Minutes of meetings at which an executive session was held shall indicate that an executive session was held and the general subject matter of the executive session.
- e. Records relating to or concerning individual Lots other than those of the requesting Member/Owner.

6. The Association shall in all instances withhold and not disclose any records that concern or contain:

- a. Personnel, salary, or medical records relating to specific individuals.
- b. Personal identification & account information of members, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers.

7. A membership list, or any part of that list, may not be:

- a. Obtained or used by any person for any purpose unrelated to an Member/Owner's interest as a Lot Member/Owner.
- b. Used to solicit money or property from Member/Owners unless that money or property is used solely to solicit the votes of the Lot Member/Owner in an election to be held by the Association.
- c. Used for any commercial purpose.
- d. Sold to or purchased by any person.
- e. Given by an Member/Owner to any person who is not an Member/Owner.

8. The following is a general checklist for how long the Association records should be kept. This checklist does not cover all records or situations:

a. Permanent Records: All Governing Documents; Minutes of all Board and Membership meetings.

b. Seven Years: all Financial Records; Tax Returns; Insurance Records; Expired Contracts; Personnel Records (payroll records and employee records after termination).

c. Three Years: General Correspondence; Written Communications sent to and from all Member/Owners; Newsletters.

d. One Year: Ballots, Proxies and other records related to voting by Member/Owners.

9. The Board shall review this Policy annually. The Board may amend this Policy when such modification is deemed to be in the best interests of the Association.

END OF POLICY