

**OAKBOOK HOMEOWNERS ASSOCIATION
RECORDS INSPECTION POLICY AND PROCEDURE**

Effective Date: June 6, 2023.

1. Availability and Inspection of Records. Records set forth herein will be made reasonably available for inspection and copying by Members and/or their authorized agent(s). "Reasonably available" means available during normal business hours after written request of at least 10 days or at the next regularly scheduled Board meeting. The written request will describe the records sought with reasonable particularity.

2. Association Records. In addition to any records specifically required by law, the Association will maintain the following records, which are the Association sole records:

- A. records of receipts and expenditures affecting the Association's operation and administration;
- B. minutes of membership meetings, Board meetings, and Homeowners Covenant Committee meetings;
- C. Members' names in a form that permits preparation of a list of names and property addresses of all Members ("Membership list" or "Voting List");
- D. the current Articles of Incorporation, Declaration, Bylaws, rules and regulations, and any other policies adopted by the Board;
- E. financial statements, to the extent available, showing, in reasonable detail, the Association's assets and liabilities and results of its operations for the past three years;
- F. a list of the names and email addresses of the current directors and officers;
- G. the most recent annual report delivered to the Colorado Secretary of State;
- H. current written contracts to which the Association is a party;
- I. written contracts for work performed for the Association within the immediately preceding two years;
- J. records of Board or Committee actions to approve or deny design or architectural requests/applications;
- K. ballots, proxies, and other records related to voting by Members for one year after the election, action, or vote to which they relate (provided that any identifying information on ballots may be redacted prior to owner inspection); and
- L. written communications within the past three years to Members generally as Members.

If the Association stores other types of documentation, or stores documentation for a longer time period than may be required above, those documents will not be considered Association records.

2. Restrictions on Use of Membership/Voting List.

- A. No Member may use Association records, or allow Association records to be used, for commercial purposes.

- B. In addition, a Membership list may not be:
- i. used to solicit money or property unless such money or property will be used solely to solicit votes of the Members in an election held by the Association;
 - ii. used for any commercial purpose;
 - iii. sold to or purchased by any person;
 - iv. used for any purposes unrelated to the Member's interest as a Member; or
 - v. used for any other purpose prohibited by law.

3. Records That May Be Withheld. The following records may be withheld from inspection and copying to the extent that such records are or concern:

- A. architectural drawings, plans, and designs, unless the legal owner of the drawings, plans, or designs provides written consent to the release;
- B. contracts, leases, bids or records related to transactions to purchase or provide goods or services that are still in or under negotiation;
- C. communication with legal counsel protected by the attorney-client privilege or the attorney work product doctrine;
- D. disclosure of information in violation of law;
- E. records of an executive session of the Board; and
- F. records related to an individual Lot other than the Member's.

4. Records That Are Not Available. The following records are not subject to review, inspection and/or copying and will be withheld from any inspection:

- A. personnel, salary, or medical records related to specific individuals; and
- B. Members' personal information or personal identifying information.

Notwithstanding the limitations above, an Owner or resident may provide the Association with prior written consent to the disclosure of, and the Association may publish to other Owners and residents, the person's telephone number, electronic mail address, or both.

5. Creation of Records. Nothing contained in these policies will be construed to require the Association to create records that do not exist or compile records in a particular format or order.

6. Remedies. The Association may pursue any Owner for damages or injunctive relief or both, including reasonable attorney fees, for abuse of inspection and copying rights, including use of any records for a commercial purpose.

7. Records Retention Schedule:

A. **Permanent Records.**

- i. Declaration, Bylaws, Articles of Incorporation, Subdivision Plats, and amendments to same.

- ii. Board resolutions, policies, procedures, and rules and regulations
- iii. Minutes of Membership meetings, Board meetings, and Homeowners Covenant Committee meetings.
- iv. Client/Attorney privileged information file.
- v. Legal Settlement Agreements.
- vi. Deeds and other property records for any property owned by the Association.

B. Seven Years.

- i. Tax returns.
- ii. Financial documents supporting tax returns.
- iii. Audits or Financial Reviews.
- iv. Insurance policies and insurance claims histories.
- v. Vendor invoices.

C. Three Years.

- i. Written communications to all members generally (e.g., community newsletters, etc.).
- ii. Financial Statements.
- iii. Budgets.
- iv. Expired contracts.

D. One Year.

- i. Ballots, proxies, and other records related to voting by owners for one year after the election, action, or vote.
- ii. Meeting notices and agendas.

This Records Inspection Policy and Records Retention Schedule was adopted by the Board of Directors on this 6 day of June, 2023.

OAKBOOK HOMEOWNERS ASSOCIATION,
a Colorado nonprofit corporation,

By: Marc P. Mayer
Its: President