

Dillon Valley East Condominium Association Retention, Inspection and Copying Of Association Records Policy

The following procedures have been adopted by Dillon Valley East Condominium Association (DVECA) at a regular meeting of the Dillon Valley East Board of Managers (DVE BOM).

ASSOCIATION RECORDS

A. **Retention of Records.** The Association shall retain the following records for the time period as required by Colorado Law:

1. Minutes of all Board and Owner meetings.
2. A record of all actions taken by the Board or Owners by written ballot or email in lieu of a meeting.
3. A record of all actions taken by a committee on behalf of the Board.
4. A record of all waivers of the notice requirements for Unit Owner meetings, Board member meetings, or committee meetings.
5. A record of Unit Owners and the number of votes each Unit Owner is entitled to vote that permits the preparation of a list of the names and addresses of all Unit Owners.
6. Financial records sufficient to allow the association to provide a written statement setting forth the amount of unpaid assessments currently levied against any Owner's Unit within fourteen days of the receipt of such request.
7. The Association's articles of incorporation and bylaws.
8. The project's Declaration and Condominium Map.
9. Copies of any resolutions adopted by the Board of Managers relating to the characteristics, qualification, rights, limitations, and obligations of Owners or any class or category of Owners.
10. Copies of all written communications within the past three years to Unit Owners.
11. A list of the names and business or home addresses of its current directors and officers.
12. The Association's most recent annual disclosure.
13. All financial audits, financial reviews or studies conducted during the immediately preceding three years.

B. **Inspection/Copy Association Records.** An owner or his/her authorized agent is entitled to inspect and copy any of the books and records of the Association, at the member's expense and during regular business hours at a reasonable location specified by the Association. Any of the records or papers of the Association (except as specifically limited or excluded by Section D below) if the member gives the Association written demand at ten (10) business days before the date on which the member wishes to inspect and copy such records and:

- i. The demand is made in good faith and for a proper purpose.

- ii. The owner describes with reasonable specific purpose the records or papers the owner desires to inspect; and
- iii. The records or papers are directly connected with the described purpose.
- iv. “Proper Purpose” means a purpose reasonably related to the demanding owner’s interest as a member of the Association.
- v. It is within the reasonable discretion of the Board to determine whether a owner’s demand to inspect and copy is made in good faith and for a proper purpose.

C. Proper Purpose/limitation: Without the consent of the Board of Managers, a membership list or any part thereof may not be obtained or used by any person for:

- i. Any purpose unrelated to a owner’s interest as a member;
- ii. To solicit money or property unless such money or property will be used solely for the purpose of generating materials or holding meetings to solicit the votes of the members in an election to be held by the Association;
- iii. Any commercial purpose; or
- iv. To be sold or purchased by any person.

D. Exclusions: The following records and documents may be kept confidential by the Association:

- i. Attorney-Client Confidential Documents. In order to protect the attorney/client privilege existent between the Association and its Attorneys, all communication between the Association and its attorney, including, but without limitation, memos, opinion letters, and draft documents prepared at the behest of the Board of Managers, are not available for the inspection or copying by any owner or his/her authorized agent, without consent or authority of the Board of Managers.
- ii. Personnel Confidential Documents. Documents pertaining to employees of the Association or involving employment, promotion, discipline, or dismissal of an officer, agent or employee.
- iii. Applicable Law. Any documents that is confidential under constitutional, statutory or judicially imposed requirements.
- iv. Individual Privacy. Any documents the disclosure of which constitutes an unwarranted invasion of individual privacy are confidential.
- v. Architectural Drawings. Any architectural drawings without the consent of the person who owns them.
- vi. Units. Any documents relating to units not owned by the requesting owner.

E. Copy and other Document Fee. The Association may impose a reasonable charge, covering the costs for copies of any documents the Association provides to a member. The charge may not exceed the actual cost for copies as incurred by the Association.

If an owner requests copies of Association documents which are not in the possession of the Association, the member is responsible for whatever fees and costs are imposed by the entity (CPA, attorney, etc.) holding such records for copy and related costs, including but not limited to labor, materials, and postage.

If a member requests a copy of an Association document which must be retrieved from archives, compiled, generated, certified or authenticated in any way, the member is responsible for all fees and costs incurred in the retrieval, compilation, generation, certification or authentication and reproduction(copying) of the requested document(s), including but not limited to labor, materials and postage.

Dillon Valley East Condominium Association

By: _____
Richard S. Garcia, President

Attest _____
Catherine N. Brosius, Secretary

This Policy and Procedure Retention, Inspection, and Copying of Association Records was adopted by the Board of Managers on the ___ day of _____, 2013, effective the 1st day of _____, 2013, and is attested to by the Secretary of the Dillon Valley East Condominium Association.

Catherine N. Brosius, Secretary