

OWNERS ASSOCIATION OF ELK MEADOWS ESTATES, INC

POLICY REGARDING INSPECTION AND COPYING ASSOCIATION RECORDS

The purpose of this policy is to provide a standard procedure regarding an 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 Articles of Incorporation and Bylaws of the Association.

INSPECTION AND COPYING ASSOCIATION RECORDS POLICY

1. Subject to sections 5, 6 and 7 below, Association records shall be made available to owners (or an owner's authorized agent provided written proof that the owner has actually designated that individual as their authorized agent) for inspection and copying. The 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. The Association may provide copies via e-mail, photocopy, or scan.
2. The Association may impose a reasonable charge to the 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 from the board's custody 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 owner inspection and/or copying:
 - a. The Articles of Incorporation, Covenants, and 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 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 owners.
 - h. A list of the names, email addresses, and physical mailing addresses of the current board members.
 - i. A list of the names of all owners and the physical mailing addresses at which the Association communicates with them, showing the number of votes each owner is entitled to cast.
 - j. Ballots, proxies, and other records related to voting by owners for one year after the election.
 - k. Financial statements for the past seven years.
 - l. Detailed records of receipts and expenditures affecting the operation and administration of the Association.

- m. Financial records sufficiently detailed to enable the Association to provide an owner with a written statement stating the amount of unpaid assessments currently levied against the 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 the Colorado Common Interest Ownership Act (CCIOA).
 - 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.
 - e. Records relating to or concerning individual lots other than those of the requesting owner.
6. 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 and 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 owner's interest as a lot owner.
 - b. Used to solicit money or property from owners.
 - c. Used for any commercial purpose.
 - d. Sold to or purchased by any person.
 - e. Given by an owner to any person who is not an owner.
8. The following is a general checklist for how long the Association records should be kept:
Note: 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, and expired contracts. Personnel records; payroll records and employee records after termination.
 - c. Three years: General correspondence; written communications sent to and from all owners, and newsletters.
 - d. One year: Ballots, proxies, and other records related to voting by owners.

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

The undersigned, being President of the Owners Association of Elk Meadows Estates, Inc., certifies that the foregoing Records Inspection Policy was adopted by the Board of Directors of the Association at a duly called meeting of the Board on January 14, 2014, and in witness thereof the undersigned has subscribed his/her name.

Owners Association of Elk Meadows Estates, Inc.

By: James D. Wing, President (Signature on file) _____

As per #9 above, this policy has been reviewed on March 31, 2024, by the Board of Directors.

Board signatures on file

No amendments were necessary, but formatting and minor grammatical errors were corrected and performed by Pam East.

In an effort to simplify version control, from this date forward, all policy reviews will be tracked via a tracking document and kept on file rather than changing the review date on each policy every year, with the exception being any policy that requires amending.

Amendment tracking information:

Date	Amendment Details
02/26/2023	#9 – lifted restrictions imposed by location of records