



## **Records Request Policy**

### **1. ASSOCIATION RECORDS AVAILABLE FOR INSPECTION**

As required by Chapter 720, Florida Statutes, the records available for inspection and/or copying are as follows:

- Copies of any plans, specifications, permits, and warranties related to improvements constructed on the common areas or other property that the association is obligated to maintain, repair, or replace.
- A copy of the bylaws of the association and of each amendment to the bylaws.
- A copy of the articles of incorporation of the association and of each amendment thereto.
- A copy of the declaration of covenants and a copy of each amendment thereto.
- A copy of the current rules and regulations of the association.
- The minutes of all meetings of the board of directors and of the members.
- A current roster of all members and their mailing addresses and parcel identifications.
- A list of all electronic mailing addresses and the numbers designated by members for receiving notice sent by electronic transmission of those members consenting to receive notice by electronic transmission.
- All of the association's insurance policies.
- A current copy of all contracts to which the association is a party, including, without limitation, any management agreement, lease, or other contract under which the association has any obligation or responsibility.
- A copy of bids received by the association for work to be performed up to 1 year.
- The financial and accounting records of the association, kept according to good accounting practices.
- A copy of the disclosure summary.
- All other written records of the association not specifically included in the foregoing which are related to the operation of the association.

### **2. ASSOCIATION RECORDS NOT AVAILABLE FOR INSPECTION**

The records NOT available for inspection and/or copying are as follows:

- Any record protected by the lawyer-client privilege.
- Any record protected by the work-product privilege.
- Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a parcel.



- Disciplinary, health, insurance, and personnel records of the Association's employees.
- Medical records of parcel owners or community residents.

**3. ALL REQUESTS FOR RECORDS MUST BE IN WRITING**

- a. An Owner who wants to inspect or copy the Association's records must submit a written request via certified mail to the Association's office. The request must specify the particular record(s) desired, including pertinent time periods, and shall state whether the request is for a physical inspection or copying. The request must be sufficiently detailed to allow the Association to retrieve the record(s) requested.
- b. No Owner may submit more than one request for inspection and/or copying of Association records in a 30-day period.

**4. ONLY OWNERS OR AUTHORIZED REPRESENTATIVE MAY INSPECT**

- a. Every Owner shall have the right to inspect or copy the Association's records in compliance with the rules and procedures contained in this policy.
- b. An Owner may authorize, in writing, an attorney or other designated representative to conduct the inspection or request copies on the Owner's behalf.

**5. RULES OF CONDUCT & PROCEDURE FOR INSPECTION AND/OR COPYING**

- a. All inspections shall take place at the Association's office Tuesday – Thursday between the hours of 12:00 p.m. – 3:00 p.m. No Owner shall remove original records from the location where the inspection is taking place.
- b. The Association shall make records available for inspection within ten (10) business days after the Association receives the written inspection request. This time frame may be extended if the records requested are extensive. The Association shall notify the Owner (by telephone, in person, or in writing) that the records are available, and specify the time, date, and place for the inspection.
- c. Records shall not be altered in any way. If an individual desires to obtain a copy of any record during an inspection, the individual shall designate such record by use of a tab or clip upon the pages desired.
- d. All people inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operations of the Association office or such other location where the inspection or copying is taking place. The Association office, or place of inspection or copying, shall assign one staff person to assist in the inspection. All requests for further assistance and copying during an inspection shall be directed only to that one staff person.



- e. Copies shall be available within ten (10) business days of receipt of the request, unless the records are extensive and makes this time frame unpractical. In such cases, the copies will be made available as soon as practical.
- f. The Association is not required to make and/or mail or deliver copies to the owners or their authorized representatives upon demand; but rather the owner or representative can obtain copies or request same, as detailed herein.
- g. No written request for inspection or copying shall be made in order to harass any Owner, resident or Association agent, officer, director or employee. Inspection and copying requests not in conformance with these rules will be deemed to be harassment.
- h. Any violation of these rules shall cause the immediate suspension of the inspection or copying until such time as the violator agrees in writing to comply herewith.
- i. Any requests for inspection and copying not complying with these rules shall not be honored. The Association may take any available legal action to enforce these rules.

#### **6. CHARGES FOR COPIES AND/OR INSPECTION**

- a. The Owner shall pay \$0.50 per page for copying records. If the Owner requests copies of records in excess of 25 pages, the Association shall have the right to have the copies made by an outside vender. Owner shall pay all actual costs for copying and delivery in addition to a minimum clerical fee based on the staff person's hourly rate plus benefits.
- b. A physical records inspection requires the presence of a staff member; therefore the Owner shall pay a minimum clerical fee based on the staff person's hourly rate plus benefits per hour for staff attendance at the records inspection.
- c. The Owner shall pay the costs of copying and/or inspection prior to the copying or actual inspection.