

## **Records Request Policy**

- 1. Records available for inspection (based on O.R.C.1702.15):**
  - A. The records available for inspection and/or copying are:**
    - **Balance sheets and Income statements**
    - **Accounts receivable lists (arrearage sheet)**
    - **Bank statements**
    - **All executed contracts, including insurance information**
    - **Board regular and special meeting minutes, excluding executive session minutes (after approval of the minutes by a majority of the Board and signature by the Secretary)**
  - B. The Association's Board may withhold from inspection any records that in its reasonable business judgment would:**
    - **Constitute an unwarranted invasion of privacy**
    - **Constitute privileged information under attorney-client privilege**
    - **Involve pending or anticipated litigation or contract negotiations**
    - **Involve the employment, promotion, discipline, performance reviews, compensation, or dismissal of a specific Board member or employee**
- 2. All requests must be in writing (See the attached form).**
  - A. An owner who wants to inspect or copy the Association's records must submit a written request to the Board. The request must specify the particular record(s) desired, including pertinent time periods, and shall state whether the request is for inspection or copying. The request must be sufficiently detailed to allow the Association to retrieve the record(s) requested.**
  - 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.**
  - C. No owner may submit more than one request for inspection and/or copying in a thirty day period.**
- 3. Rules of conduct and procedure governing request to inspect/copy**
  - A. All inspections shall take place at the Association's office or at such other location as the Board designates. No owner shall remove original records from the location where the inspection takes place.**
  - B. The Association shall make records available for inspection on or before the tenth business day after receipt of the actual written request. The timeframe may be extended if the records requested are so voluminous or otherwise in such condition, as to render this timeframe unreasonable. 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.**
  - 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 person to assist in the inspection.**

All requests for further assistance and copying during an inspection shall be directed only to that person.

- E. During an inspection, the owner may designate for copying such records by use of a tab, clip, or Post-it note upon the page(s) desired.
- F. Copies shall be available within ten business days of receipt of the request, unless the voluminous nature or condition of the records makes this timeframe impractical. In such cases, the copies will be made available as soon as practical.
- G. Owners shall not exercise their inspection or copying rights to harass any other owner or resident, Association agent, officer, director, or employee.

#### **5. CHARGES FOR COPIES/INSPECTION**

- A. Upon written request, owners shall be provided with minutes of Board meetings, excluding executive sessions as mentioned in #1 above. Such minutes will be transmitted via email where possible, following approval of the minutes by the Board. Hard copies will be provided at a cost of fifteen cents per page copied (letter size).
- B. Other than meeting minutes, the owner shall pay 15 cents per page for copying letter size documents and 20 cents per page for legal size documents. In addition, the owner shall pay a minimum clerical fee of \$5.00 for the copying of pages 1 through 50, plus an additional clerical fee of \$10.00 for every increment of 50 pages copied thereafter.
- C. To preserve the sanctity of the records, a physical records inspection requires the presence an Association Director.
- D. The owner shall pay the costs of copying and/or inspection at the time of billing for copies or actual inspection. However, the Board may in its sole discretion, require advance payment.

**NOTE:** Copies of the monthly Board minutes, following their approval, will be emailed to those who request them in writing. This is the only exception.

**Document Resource: THE KAMAN REPORT, 2003, No. 1**

**Reviewed/Updated 1/15**

#### **RECORDS INSPECTION REQUEST**

**Instructions:** This request form must be completed by an owner desiring to inspect or receive copies of any Association books of account, meeting minutes, membership roster, or other Association documents. A minimum of five (5) business days is needed to process a request. If there is a question

with any request, the owner shall be notified within a reasonable amount of time regarding the reason for the delay.

The Association requires that the owner provide the reason for each record requested and the intended purpose of the request to protect the Association and personal confidences where necessary. It is the intent of the Association to allow inspection of most Association documents. However, given the personal and legal nature of some documents, the Association must place reasonable restrictions on the inspection process. This includes a requirement that any inspection take place in the presence of an Association representative.

Inspection of the Association's records shall take place during normal business hours at The BVC Office, Monday through Friday between 9 a.m. and 5 p.m. Copying charges shall be 15 cents per page (letter size) and 20 cents per page (legal size) for the copying of pages 1 through 50, plus an additional clerical fee of \$5.00 for every increment of 50 pages copies thereafter. The actual cost of all mailing charges will also be the owner's responsibility. To preserve the sanctity of the records, a physical records inspection requires the present of a staff member or Association Director. You, the owner, agree to pay \$ N/C (currently) per hour in quarter hour increments for staff attendance at the records inspection. All inspection, copying and mailing charges will be assessed to the unit owner's account and/or paid in advance, as the Board shall determine.

This form must be completed in full, signed, and dated in order to process the request.

OWNER'S NAME \_\_\_\_\_ UNIT # \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE # \_\_\_\_\_

(If the request is made through an owner's agent or attorney, please attach a copy of the owner's signed authorization of the agent or attorney's appointment.)

Please list below the Association records you wish to inspect. In addition, for each of the records listed, please provide the reason and purpose for the inspection request. If addition space is needed, please attach another sheet.

<u>Records Requested</u>	<u>Reason and Purpose of the Request</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

Preferred inspection dates and time \_\_\_\_\_

Do you anticipate making copies of any records to be inspected? Yes \_\_\_ No \_\_\_

If you prefer receipt of copies of the records listed above via regular U.S. Mail to an actual inspection, please check here \_\_\_.

Requests for mailed copies of records will be filled with ten business days of receipt. The charges listed in the instructions will be assessed to your account. If the charges are expected to exceed \$15, do you wish to receive a total estimate of the charges before receiving the records? Yes \_\_\_ No \_\_\_

I hereby agree not to use or distribute any information or documents obtained from the inspection or copying of any Association records for any reason or purpose other than as stated above. I agree to indemnify, defend, and hold Beachwood Villas Condominium Owners Association, its Board members, and their respective successors, heirs, and assigns, harmless for any claim or damage made or sustained by any person arising from, related to, or concerning my inspection or receipt of copies of Association records. I further consent and agree that all inspection and copying charges incurred pursuant to this request, as outlined above, will be assessed to my account or paid in advance, as directed by the Board.

\_\_\_\_\_  
Signature of Owner  
(Source: THE KAMAN REPORT, Volume 1, 2003)

\_\_\_\_\_  
Date