

Inspection of Books and Records Policy

1. **Policy Accountable Owner:** Board BOD
2. **Policy Name:** Inspection of Books and Records
3. **Purpose for policy:**
 - a. To have available for inspection, the Foundation's books and records.
4. **Policy details:**
 - a. So the Foundation can have the desired books and records available, a written "Notice of Intent to Inspect" must be submitted to the Foundation's office, prior to the planned inspection. The Notice must specify which records are to be inspected, and certify the requester's Foundation membership.
 - b. All financial and other records of the Association shall be available during normal business hours, on five business days' notice, for examination and copying by any Foundation owner if the request describes with reasonable detail the records sought. The Association may charge a fee, payable in advance, for copying, not to exceed its actual cost.
 - i. If available electronically, records may be provided via email or transferred to the Member's storage device.
 - c. The membership list shall be updated quarterly. A membership list provided by the Foundation shall not be used by any Member for:
 - i. Any purpose unrelated to a Members' interest as a Member, without consent of the Board of Directors;
 - ii. The purpose of soliciting money or property unless said money or property will be used solely to solicit votes of other Members in an election held by the Association;
 - iii. Any commercial purpose; or
 - iv. For the purpose of selling or distributing such Foundation records to any person.
 - d. Consistent with an individual member's right to privacy, attorney-client confidentiality, and other considerations, the following records will NOT be made available without the express written consent of the Board of Directors or unless directed by a court of law:
 - i. Architectural drawings, plans or designs of a neighbor's residence, for a new owner, or one of the Foundation's properties, *unless* released upon the written consent of the legal owner of the drawings, plans or designs;
 - ii. Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation;
 - iii. Communications with legal counsel that are otherwise protected by the attorney-client privilege or the attorney work product doctrine;
 - iv. Emails to or from Board of Director distributions account.
 - v. Communications, either written or via email, by and between employees.
 - vi. Communications, either written or via email, by committee chairpersons and office staff members.
 - vii. Disclosure of information in violation of law;
 - viii. Records of an executive session of an executive board.
 - ix. Individual lots or residences, other than those of the requesting owner, except for Architectural Review Committee files regarding a unit.

- e. The Foundation will consider Notices referred to it under Section 4.b. and will release the records if it reasonably finds that the review requested:
 - i. Is made in good faith, to ascertain the condition of the Association; *and*
 - ii. Is by a Member who has not improperly used information secured through a previous inspection of the records; *and*
 - iii. Is not for an illegal or improper purpose, and would not violate a constitutional or statutory provision or public policy; *and*
 - iv. Will not result in an invasion of personal privacy, breach of confidence or privileged information; *and*
 - v. Would not unreasonably interfere with or improperly disrupt the operation of the Association; *and*
 - vi. Would be in the best interests of the Association;
- f. Notwithstanding any of the foregoing, the following records are not subject to inspection or copying and must be withheld to the extent that they are or concern:
 - i. Personnel, salary, or medical records relating to specific individuals; or
 - ii. Personal identification and account information of members and residents, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers; except that, a member or resident may provide the Association with prior written consent to the disclosure of, and the Association may publish to other members and residents, the person's telephone number, electronic mail address, or both. The written consent must be kept as a record of the Association and remains valid until the person withdraws it by providing the Association with a written notice of withdrawal of the consent. If a person withdraws his or her consent, the Association is under no obligation to change, retrieve, or destroy any document or record published prior to the notice of withdrawal.
 - iii. Records previously destroyed under the provisions of the Foundation's records retention policy.
 - iv. All physical (i.e., not electronic) records shall be inspected at the office of the Association at 24425 West Carrant Drive, Golden, Colorado, 80401, between the hours of 7:30 a.m. and 4:00 p.m., Monday through Friday.
 - v. At the discretion of the Association's Manager, certain records may only be inspected in the presence of a Board member or employee of the Foundation. No records may be removed from the office without the express written consent of the Board of Directors.
 - vi. All costs of inspection and photocopies will be paid in advance by the person requesting them. Copy time at the copying machine will be limited to 15 minutes in any one hour and staff is not available to make copies.
 - vii. The Association reserves the right to pursue any individual for damages or injunctive relief or both, including reasonable attorneys' fees, for violation of this Policy or the applicable provisions of the Colorado Common Interest Ownership Act.

APPROVED BY: Board of Directors

SUPERCEDES: July 14, 2012, August 12, 2015

REVIEW DATE: 2025

EFFECTIVE DATE: July 14, 2012, August 12, 2016, June 24, 2020

NOTICE OF INTENT TO INSPECT

Date: _____

Name: _____

Address: _____ Filing: _____ Lot: _____

Records to be inspected: _____

Purpose: _____

Time requested to Inspect: _____

Copies to be made: _____

Please review Inspection of Books Policy for specific information.