

POLICY FOR INSPECTION AND COPYING OF ASSOCIATION RECORDS

Effective: May 2, 2023

1. Introduction. The Board of Directors (the Executive Board) of Redstone Canyon Association (RCA), a Colorado corporation (the "Association"), acting pursuant to the powers set forth in the Association's Bylaws, Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions for RCA (a Common Interest Community), and the Colorado Common Interest Ownership Act ("CCIOA"), has enacted the following Policy effective as of the date set forth above. Unless the context otherwise indicates, capitalized words and terms used in this Policy shall have the meanings set forth in the Association Documents and, if not defined in the Association Documents, then as set forth in CCIOA. This Policy supersedes any previously adopted Policy on the same subject matter.
 2. Policy Purposes. The purposes of this Policy are to:
 - 2.1 Set forth procedures and rules to promote the consistent and predictable handling of requests by Owners for the inspection and copying of Association records;
 - 2.2 Protect the Association and its members from abusive records requests which are not interposed for a proper purpose, which fail to describe with particularity the records sought, or, which seek records not relevant to the stated purpose of a request.
 3. Document Retention Policy.
 - 3.1 Compliance with CCIOA. It is the policy of the Association to maintain all records required to be maintained by CCIOA, as well as any additional documents designated for retention in any more broadly encompassing provision of the Association Documents.
 - 3.2 Form of Records. It is the policy of the Association to maintain the
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Required records in written or electronic form, with a preference given to electronic storage as long as such documents can be easily converted to written form within a reasonable time. For purposes of this section, "reasonable time" shall mean a time period sufficient to allow conversion of the documents to written form within ten (10) business days from a proper request for review and copying as provided below.

- 3.3. Protection of Original Documents. It is the policy of the Association that "original" records of the Association that are in written form shall be appropriately protected from damage, loss or spoliation. As such, "original" documents shall not be subject to unsupervised inspection and review, and the Association will either provide for supervised review of original materials or the provision of photocopies of the requested materials with the requesting Owner responsible for reimbursement of the Association's actual cost for duplication expenses.

4. Procedure for Requesting Inspection of Records.

- 4.1 Document Inspection/Copying Request Form. Any Owner seeking to inspect or copy Association records shall submit a request in substantially the form of the attached "Records Inspection/Copying Request" to the Association's Secretary. The date on which a compliant written request is received by the responsible Association representative shall be deemed the "Date of Request."
- 4.2 Review of Request. Upon receipt of a Records Inspection or Copying Request, the Association's Board of Directors shall review the request and determine in good faith whether the purpose of the request is proper, whether the request describes the records sought with reasonable particularity; and whether the records sought are relevant to the purpose of the request. In making such determinations, consideration shall be given to the following:
- a. Purpose of the Request: The reason stated by the requesting Owner must be such that the request can be considered to have been interposed in good faith and for a proper purpose. For purposes of this section, any request which, on its face, appears to be interposed for purposes of commercial marketing, for direct
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sales campaigns, to enrich the Owner making the request, or which is specifically calculated solely to annoy, harass, or oppress the Association or any Owner shall not be considered a “proper purpose.”

- b. Description of Materials Sought: A request shall state with reasonable particularity the records sought and their connection with the purpose identified as the reason for the request. For purposed of this section, for example, a request seeking “all association documents related to covenant violations” would not be a request made with reasonable particularity. However, a request identifying specific classifications of documents (such as minutes, decisions, contracts, or policies) that is appropriately limited in time and scope (i.e., seeking records for a specific and pertinent time frame) shall be considered to have been interposed with the required reasonable particularity.
- c. Relevance: Finally, a request shall seek only documents that are relevant to the stated purpose of the request. In determining whether the materials sought are relevant to the purposes identified in the request, the Association’s managing agent, if applicable, or the Association Secretary shall consider the nexus between the materials and the Owner’s stated purpose, as well as any further explanation provided by the requesting Owner.

5. Production of Records for Inspection/Copying

- 5.1 Production of Records. The Association shall make the requested records available for inspection or copying within ten (10) business days of the Date of Request. In the event that the Association determines some part of the request is improper, it shall nevertheless produce such records as are responsive to the request to the extent such request is proper. The Association shall generally identify any records it has elected to withhold in order to preserve the Attorney Client privilege as contemplated by CCIOA, and in addition, it shall advise the requesting Owner if any part of the request is rejected because the Association believes it seeks records for an improper purposes, or does not identify the records sought with reasonable
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particularity, or if the records sought are not deemed by the Association as relevant to the stated purpose.

- 5.2 Where Copies are requested. If an Owner has requested photocopies of all written records requested, the Association's managing agent, if applicable, or the Association's Secretary shall provide the requesting Owner with a good faith estimate of the approximate number of pages implicated by the request and shall identify the expected cost per page for copies. Prior to any copies being ordered, the Association may at its election require the requesting Owner to prepay the estimated actual per page copying expense. Once copies are prepared and actual per page copying charges are ascertained, the Association shall credit any such prepayment toward the actual costs, and either collect any shortfall or refund any overage. All copying shall be performed within ten (10) business days of the Date of Request.

Policies related to Inspection. Inspection of Association records may be accomplished by providing either "original" records, photocopies, or electronic copies of such records for inspection. Where "original" records are to be inspected, this process shall be supervised by the designee of the Association's managing agent, if applicable, or by the designee of the Association's Secretary. All inspection shall be scheduled to commence within ten (10) business days of the Date of Request. Inspections shall occur during business hours and at the time and place designated by the Association. Supervised inspections of "original" Association documents shall not exceed two (2) hours in any single session. Where the Association elects to make photocopies of documents available for inspection instead of originals, an Owner may inspect the same for up to five (5) hours per business day. During records inspections, an Owner may designate certain portions of the records for copying; in which case the policies related to copying specified in Section 5.2 shall apply from the time such records are designated.

6. Other Rights of Inspection/Access to Association Records. This Policy shall not impact, affect, or limit any Owner's rights relative to access to, or inspection and copying of Association records as may exist under Colorado corporate statutes, in litigation proceedings involving the Association and an
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Owner, or the power of the Court of appropriate jurisdiction to compel production of records on proof by an Owner of a proper purpose.

CERTIFICATION

The undersigned, being the duly elected and acting Secretary of the Redstone Canyon Association certifies that the foregoing Policy Regarding Inspection and Copying of Association Records was approved by the vote of at least a majority of the Association's Directors at a meeting of the Association's Executive Board held on May 2, 2023.

By 
Secretary

Date 05/02 2023

**REQUEST FOR INSPECTION/COPYING OF ASSOCIATION
RECORDS**

Association Member Name: _____ Date: _____

Address: _____

Telephone #: _____

**I HEREBY REQUEST THAT _____ PROVIDE
ACCESSTO THE BOOKS AND RECORDS OF THE ASSOCIATION.**

I. State the Purpose of the Request. _____

II. Describe with Reasonable Particularity the Books and Records
Sought: _____

III. Type of Review: (choose one)

- ☐ I wish to review records at the Association's location.
☐ I wish to pay for copies of the records I have requested.

IV. Certification and Acknowledgement of Association Records Policies:

I certify that my request to review the books and records of the
Association is for a proper purpose related to my membership in the
Association, and that this request is not for a commercial purpose or
my personal financial gain or enrichment.

I acknowledge and accept the Association's records access and
inspection procedures and agree that I have been provided with an
opportunity to review the same. I acknowledge and agree that the
books and records will be made available to me in accordance with
the Colorado Common Interest Ownership Act and only at such time

and place as provided by the Association. I agree that I will be responsible to pay the Association's actual cost per page for any records I seek to have copies, and that I may be required to prepay these costs before copies are provided.

Member Signature: _____ Date: _____
