

# **SMOKY HILL HOMEOWNERS ASSOCIATION**

## **Records Inspection Policy**

### **RECITALS:**

A. Colorado Revised Statute 38-33.3-209.5(1)(b)(v) provides that the Association shall adopt a policy for Members to inspect and copy the Association's records.

B. The intent of this policy is to generally define the types of records the Association maintains, define the costs of copies, and provide a general procedure for the Members to inspect and copy records; it is not the intent to limit Members statutory remedies for record inspection.

The Association's statutory records (Statutory Records) shall consist of the following:

- a. Financial records sufficiently detailed to enable the Association to establish the amount of unpaid assessments, late fees, interest, fines and other legal charges for each Lot subject to the Declaration;
- b. Minutes of meetings of the membership and minutes of meetings of the Board and committees of the Board as well as records of all actions taken by the Lot Owners or the Board by written ballot or written consent in lieu of a meeting and any waivers of notice of meetings of the Lot Owners, the executive Board or committees of the executive Board; and
- c. Records of the name and address of each Lot Owner within the Community as well as each Lot Owners voting power as established by the Declaration. Pursuant to the Covenants, each Lot Owner is entitled to one (1) vote per Lot.

In addition to the Statutory Records, the Association shall maintain a copy of each of the following at its principal office (Corporate Records):

- d. Its Articles of Incorporation;
- e. Its Bylaws;
- f. Its Declaration;
- g. Resolutions adopted by the executive Board relating to the Common Interest Community;
- h. All written communication within the past three years to Unit owners generally as Members;
- i. A list of the names and business or home addresses of its current directors and officers; and
- j. A copy of its most recent financial statements, audits and review for periods ending during the last three years.

A Lot Owner, or a duly appointed representative, is entitled to inspect and copy the Association's records during regular business hours at the Association's principal office provided the Lot Owner delivers written notice to the Association at least ten business days prior to the date the Lot Owner expects to inspect and copy the records. The Lot Owner must complete a Request for Inspection of Documents Form, a sample of which is attached, stating the following:

- a. describe with reasonable particularity the records the Lot Owner wants to review; and
- b. describe with reasonable particularity the purpose the Lot Owner has to want to review the statutory records.

The Lot Owner's request to inspect and copy records must be made in good faith for a purpose reasonably related to the Unit Owner's request. All requests to inspect or copy records, other than Statutory Records or Corporate Records, shall be submitted for approval to the Board or its designated agent or committee.

The Association may charge a fee in advance for the estimated amount to copy the records not to exceed the Association's actual cost per page including services for copies of the Association's records (reasonably believed to be \$0.25 per page for materials and time). In the event a Lot Owner's request will result in review and/or copying of voluminous documents, the Association may break the inspection in to several sessions to reasonably accommodate the staff at its principal office.

Careful scrutiny will be employed by the Board for requests to review records pertaining to other Lot Owners' accounts with the Association or matters that may otherwise be confidential in nature or subject to specific privileges.

Many documents, such as financial reports, corporate documents, budgets and meeting minutes are posted on the Smoky Hill website at [smokyhillhoa.net](http://smokyhillhoa.net) and may be accessed and printed free.

Policy adopted this 13th day of December 2005 by Resolution of the Board of Directors.



Ron Weidmann, President  
Smoky Hill Homeowners Association

**SMOKY HILL HOMEOWNERS ASSOCIATION**  
**Request for Inspection of Documents**

ALL ITEMS MUST BE COMPLETED.

IF ANY PORTION OF THE FORM IS LEFT INCOMPLETE, IT MAY BE  
RETURNED TO YOU AND YOUR ABILITY TO REVIEW THE DOCUMENTS WILL  
BE DELAYED

Date: \_\_\_\_\_

Your Name: \_\_\_\_\_

Your Address: \_\_\_\_\_

Your Telephone Number: \_\_\_\_\_

**Information regarding document(s):**

Identify all documents you wish to review (please be as specific as possible including all dates):

What is the purpose for which you would like to review these documents (please provide as much detail as possible):

Do you wish to inspect the documents during normal business hours at the offices of the Association's agent: \_\_\_\_\_

If the answer is "Yes," please indicate at what times you are available to inspect the documents and how long you anticipate such inspection\*:

If the answer is "NO" please indicate how you would like to receive the documents:

\_\_\_\_\_ Mail to the following address:

\_\_\_\_\_ Pick up. Please call when ready.

By signing below I state that I am making my request to review the records in good faith and for a proper purpose and that I will use such information consistent with all applicable laws including, but not limited to, Colorado Revised Statute Section 7-136-105. I understand that I will be charged for all costs incurred in copying (at \$0.25 per page) and delivering (including postage) any documents and that I may be required to provide a deposit if the anticipated charges will exceed \$10.00.

\_\_\_\_\_  
Date

\*All requests are subject to coordination with the custodian of the records.  
Mail or fax request to Centennial Property Services, P.O. Box 461322,  
Centennial, Colorado 80046-1322, facsimile number 303-400-8482