



RIVER VALLEY RANCH

RIVER VALLEY RANCH MASTER ASSOCIATION (RVRMA) POLICY AND PROCEDURE FOR EXAMINATION, INSPECTION, AND COPYING OF RIVER VALLEY RANCH MASTER ASSOCIATION RECORDS

The River Valley Ranch Master Association (RVRMA) has a declaration of protective covenants, bylaws and rules and regulations. Article 9.9 of the Declaration (*Power to Adopt Master Rules and Regulations*) empowers the Board of Directors to adopt, amend, repeal and enforce such Master Rules and Regulations as the Executive Board may consider necessary, desirable, or appropriate with respect to the operation of the master Association. In order to be compliant with Colorado House Bill 1237 (HB1237), the Executive Board deems it necessary to adopt an updated policy for the Examination, Inspection, and Copying of River Valley Ranch Master Association Records. Therefore, the following policy and procedure will govern the **Examination, Inspection, and Copying of River Valley Ranch Master Association Records**.

RECORDS TO BE MAINTAINED AND PRODUCED UPON REQUEST BY AN AUTHORIZED PARTY PER THE PROCEDURE DESCRIBED HEREIN

In addition to any records specifically required by the Association's Declaration or Bylaws, the Association shall maintain the following records:

- a. Records the association is required to disclose within 90 days after the end of the fiscal year as required by CCIOA;
- b. Detailed records of receipts and expenditures affecting the operation and administration of the association;
- c. Records of claims for construction defects and amounts received pursuant to settlement of those claims;
- d. Minutes of all meetings of its owners and board, a record of all actions taken by the owners or board without a meeting, and a record of all actions taken by any committee of the board;
- e. Written communications among, and votes cast by, board members that are: (i) directly related to an action taken by the board without a meeting pursuant to the Colorado Revised Nonprofit Corporation Act; or (ii) directly related to an action taken by the board without a meeting pursuant to the association's bylaws;
- f. A list of the names of all owners and the physical mailing addresses at which the association communicates with them, showing the number of votes each owner is entitled to vote;
- g. The association's current declaration, covenants, bylaws, articles of incorporation, rules and regulations, responsible governance policies and other policies adopted by the board;



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- h. Financial statements for the past three (3) year and tax returns of the association for the past seven (7) years;
- i. A list of the names, email addresses and physical mailing addresses of the current board members and officers;
- j. The most recent annual report (if any) delivered to the Secretary of State;
- k. Financial records sufficiently detailed to enable the association to provide an owner with a written statement stating the amount of unpaid assessments currently levied against the owner's unit;
- l. The association's most current reserve study (if any);
- m. Current written contracts to which the association is a party and contracts for work performed within the past two (2) years;
- n. Records of board or committee actions to approve or deny any requests for design or architectural approval from owners;
- o. Ballots, proxies and other records related to voting by owners for one (1) year after the election, action or vote;
- p. Resolutions adopted by the board relating to the characteristics, qualifications, limitations, and obligations of members;
- q. All written communications within the past three (3) years sent to all owners.

RECORDS WHICH MAY BE WITHHELD FROM PRODUCTION

- a. Architectural drawings, plans, and designs, unless released upon the written consent of the legal owners of the drawings, plans, or designs;
- b. Contracts, leases, bids or records related to transactions to purchase or provide goods or services *that are currently in or under negotiations*;
- c. Communications with legal counsel that are otherwise protected by attorney-client privilege or the attorney work product doctrine;
- d. Disclosure of information in violation of law;
- e. Records of an executive session of an HOA board;
- f. Records relating to or concerning individual units other than those of the requesting owner;

RECORDS WHICH WILL BE WITHHELD FROM PRODUCTION

- a. Personnel, salary, or medical records relating to specific individuals; or
- b. Personal identification and account information of members, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers.



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PROCEDURES FOR REQUESTING HOA RECORDS

- a. A written Request for Records must be submitted at least 10 days prior to the inspection or production of the records. Inspection and copying of records will be scheduled only during normal business hours.
- b. A reasonable fee, collected in advance, will be charged for the labor and materials involved in producing and/or reproducing the records.
- c. All of the records which must be produced to owners will be available for examination and copying by an owner will be made available to the owner's authorized agent who has a signed and dated authorization that specifies the information the agent is authorized to request on the owner's behalf.

This policy and procedure may be amended from time to time by the Board of Directors.

PRESIDENT'S CERTIFICATION:

The undersigned, being the President of the RVRMA certifies that the foregoing resolution was adopted by the Board of Directors of the RVRMA at a duly called and noticed meeting of the Board of Directors held on this date 30th day of November in the year 2016 and in witness thereof, the undersigned has subscribed his/her name.

Carroll W. Kenne

RVRMA President

11/30/16

Date adopted



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**RIVER VALLEY RANCH MASTER ASSOCIATION (RVRMA)
REQUEST FOR EXAMINATION, INSPECTION, AND/OR COPYING OF ASSOCIATION RECORDS**

Owner Name: _____ Date: _____

RVR Address: _____

Telephone: (_____) _____ Email: _____

Pursuant to the RVRMA's Policy and Procedure for Examination, Inspection, and/or Copying of Association Records, I hereby request that the River Valley Ranch Master Association provide access to the records of the Association as identified below. I understand that upon receipt of this request, the Association will set an appointment with me to review/receive the records during regular business hours.

The records that I wish to review are:

I acknowledge and accept the Association's records inspection policy. I acknowledge and accept that the records of the Association which I have requested will be made available to me only at such time and place as the Association's policy provides and that there may be a cost associated with providing copies of these documents for me. I agree to pay any costs associated with copying these documents.

In the event the records provided to me by the Association are used for any commercial purposes, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees, and I shall be subject to all enforcement procedures available to the Association through its governing documents and/or Colorado law.

Member Signature

Date