

**RANCH AT ROARING FORK HOMEOWNERS ASSOCIATION, INC.**  
14913 HIGHWAY 82  
CARBONDALE, CO 81623

**RECORD RETENTION AND INSPECTION POLICY**

Adopted September 9, 2013

**Purpose:** This policy is intended to comply with C.R.S. § 38-33.3-209.5(1)(b)(V) and incorporate recent changes to C.R.S. § 38-33.3-317.

**Policy:**

**Record Retention.** The Ranch at Roaring Fork Homeowners Association, Inc. (the "Association") shall maintain the following documents and records, all of which shall be deemed to be the sole records of the Association for purposes of document retention and production to Owners:

- Detailed records of receipts and expenditures affecting the operation and administration of the Association;
- Records of claims for construction defects and amounts received by the Association pursuant to settlement of those claims;
- Minutes of all meetings of Owners and the Board of Directors (the "Board");
- Records of all actions taken by the Owners or the Board without a meeting;
- Records of all actions taken by any committee of the Board;
- Written communications, deliberations and votes cast by the Board members outside of a meeting;
- A list with the following information: the names of all Owners, the physical mailing addresses at which the Association communicates with each Owner, and the number of votes each unit Owner is entitled to vote;
- The Association's current declaration, covenants, bylaws, articles of incorporation, rules and regulations, responsible governance policies adopted pursuant to section 38-33.3-209.5, and other policies;
- Financial statements (showing assets, liabilities, and results of operation) for the past three (3) years;
- Tax returns for the past seven (7) years, to the extent available;
- A list of the names, e-mail addresses, and physical mailing addresses of current Board members and officers;
- Most recent annual report filed with the Colorado Secretary of State, if any;
- Financial records showing unpaid assessment (sufficiently detailed to comply with C.R.S. § 38-33.3-316(8));
- Most recent reserve study, if any;

- Current written contracts to which the Association is a party and contracts for work performed for the Association within the immediately preceding two (2) years;
- Records of the Board or committee actions to approve or deny any requests for design or architectural approval;
- Ballots, proxies, and other records related to voting by Owners for one year after the election, action, or vote to which they relate;
- Resolutions adopted by the Board; and
- All written communications within the past three (3) years sent generally to all Owners.

**Inspection.** The above records maintained by the Association shall be available for examination and copying by an Owner or Owner's authorized agent subject to the following:

- Owners must submit a written request, describing with reasonable particularity the records sought, at least ten (10) days prior to inspection or production of the documents;
- Examination and copying times shall be during normal business hours or the next regularly scheduled Board meeting (if the meeting occurs within thirty (30) days after the request);
- The Association is not obligated to compile or synthesize information;
- Documents and records may be copied or sent/received by e-mail;
- Owner shall pay a reasonable charge to cover the costs of labor and material to produce requested Association records (at the Association's discretion, such charge must be paid in advance);
- The Association may not condition the production of records upon the statement of a proper purpose; however the records will not be provided for the prohibited purposes set forth in this policy.
- No record or information contained therein shall be used for any commercial purpose;
- A membership list (or any part thereof) may not be obtained or used by any person for any purpose unrelated to an Owner's interest as an Owner without consent of the Board. Without limiting the generality of the foregoing, a membership list or any part thereof may not be:
  - Used to solicit money or property unless such money or property will be used solely to solicit the votes of the unit owners in an election to be held by the Association;
  - Used for any commercial purpose; or
  - Sold to or purchased by any person.

**Records Not Available for Inspection.** The following records maintained by the Association shall be withheld from inspection and copying to the extent that they are or concern:

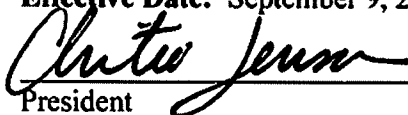
- Personnel, salary, or medical records relating to specific individuals; and

- Personal identification and account information of Owners, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers.

The following records maintained by the Association may be withheld from inspection and copying to the extent that they are or concern:

- Architectural drawings, plans, and designs, unless released upon the written consent of the legal owner of the drawings, plans, or designs;
- Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation;
- Communications with legal counsel that are otherwise protected by the attorney-client privilege or the attorney work product doctrine;
- Disclosure of information in violation of law;
- Records of an executive session of the Board; or
- Individual units other than those of the requesting Owner.

**Effective Date:** September 9, 2013.

  
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President

9/9/13

**AGREEMENT REGARDING INSPECTION AND COPYING OF RECORDS  
OF THE RANCH AT ROARING FORK HOMEOWNERS ASSOCIATION, INC.**

I have requested to inspect and/or obtain copies of the following records of the Ranch at Roaring Fork Homeowners Association, Inc. (be as specific as possible): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The records shall be used for the following purpose(s) only: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I understand that under the terms of the Colorado Revised Nonprofit Corporation Act, Association records may not be obtained or used for any purpose unrelated to my interest(s) as an Owner. I further understand and agree that without limiting the generality of the foregoing, Association records may not be:

(A) used to solicit money or property unless such money or property will be used solely to solicit the votes of the Owners in an election held by the Association;

(B) used for any commercial purpose;

(C) sold to, otherwise distributed to, or purchased by any person;

(D) any other purpose prohibited by law; or

(E) any purpose not related to the reason specified in this Agreement.

In the event any document requested is used for an improper purpose or purpose other than that stated above, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees resulting from such improper use. I will additionally be subject to any and all enforcement procedures available to the Association through its governing documents and Colorado law.

Understood and agreed to by:

\_\_\_\_\_

Homeowner

\_\_\_\_\_

Homeowner

\_\_\_\_\_

Address

\_\_\_\_\_

Date:

\_\_\_\_\_

Date:

\_\_\_\_\_