

THE HAMLET AT CASTLE PINES NORTH  
HOMEOWNERS ASSOCIATION, INC.

**Inspection and Copying of Association Records**

Adopted December 6, 2005

Revised December 12, 2006

The following policy has been adopted by The Hamlet at Castle Pines North Homeowners Association, Inc. ("Association") pursuant to the provisions of C.R.S. 38-33.3-209.5, at a regular meeting of the Board of Directors.

Purpose: To establish uniform procedures for the inspection and copying of Association records by Owners; and to establish the cost of copying Association records.

WHEREAS, The Colorado Common Interest Ownership Act, in C.R.S. 38-33.3-317 gives all Owners the right to examine and copy the financial and other records of the Association for a proper purpose.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing the inspection and copying of Association records:

1. Keeping Records. The Association shall keep financial and other records according to its Record Retention Policy. These records shall be made available to Owners for inspection and copying according to the provisions described herein.

2. Availability of Records. Association records shall be available for inspection through the Board of Directors by appointment or during the next regularly scheduled Owner or Board meeting occurring within 30 days of the Owner's written request, at the discretion of the Board. In addition, the Association has chosen to make certain documents and records available on its web site. Owners are encouraged to check the web site for immediate access to frequently requested records and documents. Records are available on the web site for an Owner's self-service copying at no cost. The list of documents, records and disclosures on the web site is detailed in the Record Retention Policy; a detailed index is also available on the web site. The Association Web site is:

**<http://www.cpnhoa.org/newHOAPages/commonPages/home.php?hoa=205>**

3. Record Inspection. Many records are immediately available on the Association web site. Records are also available for inspection through the Board of Directors upon receipt from an Owner, or the Owner's representative, a Record Inspection Request.

4. Record Inspection Request. In order for the Association to have the desired books, records and personnel available, a written Record Inspection Request must be received by the Board of Directors at least five (5) business days prior to the planned inspection. The Record Inspection Request must describe with reasonable particularity which records are to be inspected and the purpose of the inspection.

- a. Information required for Record Inspection Request:  
Owner's contact information: Name, address, phone number, email address  
Date requested for inspection: (at least 5 business days notice)  
Purpose of record inspection:  
Records requested:
- b. Deliver Record Inspection Requests to the Board of Directors by placing or depositing it in the designated HOA monthly assessment collection box located in the gatehouse at 8181 Monarch Boulevard, Castle Rock, CO 80108
- c. Confirmation of Record Inspection Request: Owners who have submitted a Record Inspection Request will be contacted by the Board of Directors to confirm the request and schedule an appointment. The Association shall make the requested records available within five business days of the Owner's request or at the next regularly scheduled Owner or Board meeting if the next regularly scheduled Owner or Board meeting is scheduled within thirty days of the Owner's request, in the sole discretion of the Board. The Board shall advise the Owner of the time and place of such inspection in writing within five business days of the Owner's request. If you have not received confirmation within *ten* business days, please contact the President of the Board of Directors. Incomplete, or unclear, Record Inspection Requests may result in delays providing the information.

5. Association Records. The Association does not have a full-time office staff or an outside management company; it is operated by the Board of Directors. The Association does not maintain regular business hours at a public office location. Appointments may be made by contacting the Board of Directors. Record inspection shall be by appointment only, at a site designated by the Board of Directors between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday

6. Board Discretion. At the discretion of the Board of Directors, certain records may only be inspected in the presence of a Board member or another person designated by the Board of Directors. No records may be removed without the express written consent of the Board of Directors. Further, in order to fulfill an Owner's record inspection request, the Association may photocopy and provide the requested records to the Owner in lieu of the Owner's inspection of the records if consented to by the Owner.

7. Copying Records. Records on the Association web site are available for self-service copying; the Association does not charge for self-service copies. The Association may charge a fee, not to exceed the Association's actual cost for copies of records provided by the Association, *and may collect the fee in advance*.

- (a) Self-service copies: Many records are immediately available on the Association web site; self-service copies may be made by the Owner.

(b) Association Provided Copies: Copy requests are reviewed on a case-by-case basis. The Association may choose to fulfill a request for copies through a professional copy service. The choice of professional copy service shall be mutually agreed to by both the Association and the requesting Owner. The Owner shall be required to make arrangements for payment and pickup or delivery of the copies. The time to process a copy request shall include five (5) business days for Association preparation, which is in addition to the copy service's processing time.

8. Written Consent. Consistent with individual Owners' 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:

- A. Confidential personnel records.
- B. Confidential litigation files and matters covering consultation with legal counsel concerning disputes that are subject of pending or imminent court proceedings or are privileged or confidential between attorney and client.
- C. Files dealing with investigative proceedings concerning possible or actual criminal misconduct.
- D. Any matter the disclosure of which would constitute an unwarranted invasion of individual privacy.
- E. Inter-office memoranda, preliminary data, working papers and drafts, and general information or investigations which have not been formally approved by the Board of Directors.
- F. Owner's phone numbers and e-mail addresses.

9. Review of Inspection Request. In determining whether records may be inspected, the Association shall consider among other things:

- A. Whether the request is made in good faith and for a proper purpose. A proper purpose means a purpose reasonably related to the Owner's interest as an Owner. Association records, including membership lists, shall not be used by an Owner for:
  - (i) Any purpose unrelated to an Owner's interest as an Owner;
  - (ii) The purpose of soliciting money or property unless such money or property will be used solely to solicit the votes of the Owners in an election to be held by the Association.
  - (iii) Any commercial purpose;
  - (iv) For the purpose of giving, selling or distributing such Association records to any person; or

(v) Any improper purpose as determined in the sole discretion of the Board.

B. Whether the records requested are relevant to the purpose of the request;

C. Whether disclosure is for an illegal or improper purpose, or would violate a constitutional or statutory provision or public policy; and

D. Whether disclosure may result in an invasion of personal privacy, breach of confidence or privileged information as set forth above.

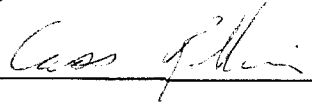
10. The Association reserves the right to pursue any individual for damages or injunctive relief or both, including reasonable attorneys' fees, for abuse of these rights, including, but not limited to, use of any records for a purpose other than what is stated in the Notice of Intent to Inspect.

The Hamlet at Castle Pines North  
Homeowners Association, Inc.

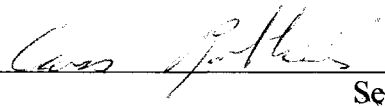
By: 

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President

Attest

  
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Secretary

This Policy was adopted by the Board of Directors on the 6th day of December 2005, effective the 1st day of January, 2006, revised by the Board of Directors on the 12<sup>th</sup> day of December 2006, and is attested to by the Secretary of The Hamlet at Castle Pines North Homeowners Association, Inc.

  
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Secretary