

**COLONY OAKS HOMEOWNERS ASSOCIATION, INC.**

**OFFICIAL RECORDS INSPECTION RULES**

1. An owner may make an inspection request of the Association's official records as defined in § 720.303(4)(a), Fla. Stat.
2. Because delivery and receipt of e-mails is uncertain, and because of the difficulty of authenticating e-mails, pursuant to the Uniform Electronic Transaction Act, § 668.50, Fla. Stat., the Association does not agree to receive or conduct official records requests by electronic means. Official records requests must be in writing and must be delivered by U.S. mail to the Association's manager at the business office of the manager. Alternatively, to avoid delay, an official records request in writing also may be delivered by hand to the Association manager at the business office of the manager.
3. The inspection request shall state with reasonable particularity the documents to be inspected. If possible, dates or ranges of dates, or other identifying criteria will be used to clarify a request. (Example: a request for "Financial statements for the previous fiscal year (2014)" is clearer than "Financial statements" when in fact the owner wishes to inspect only the financial statements for 2014.) The Association may request that an owner clarify his/her request.
4. The inspection shall take place at the business office of the Association manager between the hours of 9:00 o'clock a.m. and 5:00 o'clock p.m., Monday through Friday, except holidays.
5. The Association may comply with the request by having a copy of the official records available for inspection or copying or producing the document in electronic format or via the internet, but upon the request of the owner during the inspection, the document will be printed and a copy provided within a reasonable period of time. If the Owner has previously requested the same document within the prior 6 months, the Association may respond to the request by referring the Owner to the records previously provided.
6. The association will allow a member to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member with a copy of such records. The association will not charge for the use of a portable device.
7. The Association may in its discretion have the manager or another person designated by the manager or Board of Directors monitor the inspection.
8. The right to inspect the records includes the right to make or obtain copies at the expense of the member. The association will charge 25 cents per page for copies made on the association's photocopier. If the records requested to be copied exceed 25 pages in length, the association may have copies made by an outside copying service and may charge the actual cost of copying to the member.
9. If the time spent by Association personnel or management retrieving and copying the records exceeds one-half hour, and the records requested to be copied exceed 25 pages in length, then the Association will charge personnel costs to the member in the amount of \$20.00 per hour.
10. The Association has no obligation to create documents. The Association is not obligated to compile or synthesize information in its records, and during an inspection documents will be provided in the manner in which they are kept in the Association's normal course of business. If the Association agrees to compile or produce information or documents not identified in this policy or the Florida

Statutes as an Official Record of the Association, the Association may charge additional fees to the requesting Owner to cover the expenses associated with such compilation or production.

11. The following records will not be produced (See. § 720.303(5)(c)(1-7), Fla. Stat.):

- a) Any record protected by the lawyer-client privilege as described in s. [90.502](#) and any record protected by the work-product privilege, including, but not limited to, a record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.
- b) Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a parcel.
- c) Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. Medical records of parcel owners or community residents.
- d) Social security numbers, driver license numbers, credit card numbers, electronic mailing addresses, telephone numbers, facsimile numbers, emergency contact information, any addresses for a parcel owner other than as provided for association notice requirements, and other personal identifying information of any person, excluding the person's name, parcel designation, mailing address, and property address.
- e) Any electronic security measure that is used by the association to safeguard data, including passwords.
- f) The software and operating system used by the association which allows the manipulation of data, even if the owner owns a copy of the same software used by the association.