

AVON TOWN SQUARE, LOT 2, CONDOMINIUM ASSOCIATION

ASSOCIATION RECORDS POLICY

(Effective Date: April 21, 2016)

The Avon Town Square, Lot 2, Condominium Association, Inc. (the "Association") is a commercial common interest association of owners that was organized under the provisions of the Colorado Revised Nonprofit Corporation Act (the "Act") and is subject to many of the terms and provisions of the Colorado Common Interest Ownership Act ("CCIOA"). Under Section 209.5 of CCIOA, every condominium association is required to adopt responsible governance policies. One of these policy statements must describe the nature and variety of records that the Association must maintain and the manner in which these records will be made available to owners and others.

Association Records

Under the Bylaws of the Association, the Secretary of the Association must keep the minutes of all Board of Director ("Board") and unit owner meetings along with records describing the current names and addresses of the unit owners. It is the responsibility of the Manager to maintain all other Association records and to assure that the Association is in compliance with the record keeping requirements of Section 317 of CCIOA. This particular section of CCIOA details the treatment of all records of the Association including the books of account, financial statements, governing documents, and other information concerning the operations of the Association. Specific records and information must be maintained and made available for inspection and copying by the unit owners (or their authorized agents) in the manner set forth in CCIOA and in this policy statement.

The list of records and information that the Association must maintain under Section 317 of CCIOA is extensive. A summary describing the types of records and information subject to Section 317 is attached to this policy statement. All inquiries concerning Association records should be submitted directly to the Managing Agent.

The preparation and delivery of statements for periodic assessments and fees is handled under the direction of the Manager. Detailed billing records describing the current assessment status for each Unit is maintained by the Manager. Whenever a unit owner or his designee or mortgagee requests a written statement describing the amount of unpaid assessments for a related Unit, the Manager will furnish a written statement within 14 days of the request. The contents of the written statement will be binding upon the Association.

The Association's records must be made available for examination and copying by a unit owner or his authorized agent, but only by submitting a written request to the Manager describing the specific records that are being requested. This written request must be received by the Manager at least 10 days before the date of inspection. The Manager is entitled to limit examination and copying times in the manner specified in Section 317(2)(a) of CCIOA.

The list of unit owners will be protected and may not be obtained or used by any unit owner or his authorized agent for a purpose that is unrelated to the unit owner's interest as a unit owner. In addition, the list of owners may not be sold or used for any commercial purpose. Similarly, the list

cannot be used to solicit money or property except in connection with voting campaigns within the Association.

Certain Association records may be withheld from inspection and copying if they pertain to (1) architectural drawings, plans and designs, (2) business transactions currently being negotiated or released for bidding, (3) attorney-client privileged communications or material subject to the work product doctrine, (4) legally protected information, (5) Board meetings in executive session, (6) information about other Units, or (7) personal identification and contact information for other unit owners. Owners can, however, consent to the disclosure or publication of their email addresses and/or telephone numbers under procedures that are adopted by the general manager.

Personnel, salary and medical records in the possession of the Association or the Manager may not be disclosed under any circumstances. These kinds of records are protected under a variety of laws and regulations.

The Manager is entitled to impose reasonable fees to cover administrative, retrieval and copying expenses in connection with any request for Association records. These fees must be paid in advance. Rather than providing physical copies of records, the Manager may furnish electronic copies.

Even though the Association will carefully restrict access to personal information of unit owners and employees of the Association, the Manager will have access to this information in order to carry out Association operations. The Association and the Manager will train employees to protect the confidentiality of personal information. Personal information and records relating to a unit owner will not be disclosed to any third party or nonaffiliated entity unless permitted by law or otherwise authorized by the Manager or the Board.

**ADDENDUM TO POLICY STATEMENT
ASSOCIATION RECORDS REQUIRED TO BE MAINTAINED BY THE ASSOCIATION**

This addendum describes the nature and types of records to be maintained by the Association under its governing documents and under the Colorado Common Interest Ownership Act (CCIOA):

- Detailed records of receipts and expenditures concerning the association's operations and administrative functions.
- All records concerning construction defect claims and nonconfidential settlement amounts.
- The minutes of all owner and board meetings as well as a record of all actions taken by owners or board members without a meeting as well as a record of all actions taken by any committee appointed by the board.
- Written deliberations and votes cast by board members that are directly related to any board action taken without a meeting pursuant to law or pursuant to the bylaws. Written communications by board members and records of specific votes that were cast will be viewed as association records. But this will be true only to the extent that such communications are directly related to an action taken by the board without a meeting. Written communications between board members that do not pertain to specific board actions will not be viewed as association records that are open to inspection by unit owners. In all cases, email addresses and telephone numbers for unit owners will be excised unless appropriate written consents are on file.
- The names of unit owners and their mailing addresses (but not email addresses) along with the allocated voting strength for each.
- Current declaration, covenants, bylaws, articles of incorporation, or other corresponding organizational documents, rules and regulations, governance policy statements, and all other policies adopted by the board.
- Financial statements for the association for past 3 years and tax returns for the past 10 years (to the extent available).
- A list of the names, association-based e-mail addresses, and physical mailing addresses of the Association's current board members and officers.
- Most recent annual report delivered to the secretary of state.
- Financial records sufficiently detailed to comply with CCIOA requirements concerning unpaid assessments.
- The association's 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 years.
- Records of board or committee actions to approve or deny requests from unit owners for design or architectural approval. However, the association may withhold architectural drawings, plans, and designs from disclosure unless the owner of such drawings, plans, and designs provides written consent for disclosure.
- Ballots, proxies, and other records related to voting by unit owners for one year after the election, action or vote to which they apply.
- Resolutions adopted by the board relating to the characteristics, qualifications, rights, limitations, and obligations of members or any class or category of members.

- All written communications within the past three years to all unit owners generally as unit owners. In all cases, email addresses and telephone numbers for unit owners will be excised unless appropriate written consents are on file.
- The Association's operating budget for the current fiscal year.
- A list of all Association insurance policies, including, but not limited to, property, general liability, association director and officer professional liability, and fidelity policies. This list shall include the company names, policy limits, policy deductibles, additional named insureds, and expiration dates of the listed policies. This list shall also include any errors and omissions policy for the Association's manager in which the Association is designated as an additional insured or as a beneficiary or protected entity.