

**PENN TOWERS CONDOMINIUM ASSOCIATION, INC.**  
**POLICY AND PROCEDURE**  
**INSPECTION AND COPYING OF ASSOCIATION RECORDS**

Effective as of NOV 11, 2014

The following policy and procedure has been adopted by the Penn Towers Condominium Association, Inc. ("Association") pursuant to Colorado statutes, at a meeting of the Board of Managers ("Board"). This policy and procedure supersedes and replaces any prior resolution or policy regarding the inspection and copying of Association Records.

1. Current Records. The following records, being the sole records of the Association for purposes of document retention and production to Owners, shall be kept at the Association's office or the office of its managing agent, if any:
  - a. An account for each Unit, which shall designate the name and address of each Owner, the amount of each Assessment, the dates on which each comes due, any other fees payable by the Owner as Assessments, the amounts paid on the account and the balance due;
  - b. An account for each Owner showing any other fees payable by the Owner;
  - c. A list of the names and addresses of all Members showing the number of votes each Unit is entitled to cast;
  - d. A list of the names, electronic mail addresses and physical mailing addresses of the current Managers and Officers;
  - e. Financial statements of the Association prepared for periods ending during the previous three years;
  - f. The current operating budget;
  - g. Current written contracts to which the Association is a party and contracts for work performed for the Association within the immediately preceding two years;
  - h. Detailed records of receipts and expenditures affecting the operation and administration of the Association, including settlement of claims for construction defect unless those settlements are, by their terms, required to be kept confidential;
  - i. Records of Board or committee actions to approve or deny design or architectural approval requests, excluding proprietary designs, architectural drawings or plans without consent of the legal owner of the designs, drawings or plans;
  - j. The most recent reserve study, if any;
  - k. A record of any unsatisfied judgments against the Association and the existence of any pending suits in which the Association is a defendant;
  - l. A record of insurance coverage provided for the benefit of Owners and the Association including company names, policy limits, policy deductibles, additional insureds, and expiration dates of the policies listed;
  - m. Tax returns for state and federal income taxation for the past seven years, to the extent available;

- n. Minutes of all meetings of the Owners and Managers, a record of all actions taken by Owners or Managers without a meeting, and a record of all actions taken by a committee of the Board;
- o. Written communications among and the votes cast by Board members pursuant to the Association's Bylaws or applicable statutes that are directly related to an action taken by the Board without a meeting;
- p. Ballots, proxies, and other records related to voting by Owners for one (1) year after the election, action or vote to which they relate;
- q. Copies of at least the three most recent years' correspondence between the Association and Owners generally as Owners;
- r. Copies of most recent annual corporate report and financial audit, if any; and
- s. Copies of the most current versions of the Governing Documents, along with their exhibits and schedules, governance policies, and Board resolutions, if any.

2. Inspection of Association Books and Records by Members.

- a. A Member or his/her authorized agent is entitled to inspect and copy, at the Member's expense and during regular business hours at a reasonable location specified by the Association, any of the records of the Association (except as specifically limited or excluded by Section 4 below).
- b. The Member 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.
- c. The Association may limit examination and copying times to normal business hours or the next regularly scheduled Board meeting if the meeting occurs within thirty (30) days of the request.

3. Membership List. Without the consent of the Board of Managers, a membership list or any part thereof may not be obtained or used by any person for:

- a. To solicit money or property unless such money or property will be used solely for the purpose of generating materials or holding meetings to solicit the votes of the Members in an election to be held by the Association;
- b. Any commercial purpose; or
- c. To be sold to or purchased by any person.

4. Exclusions. The following records and documents shall be kept confidential by the Association:

- a. Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation;
- b. Communications with legal counsel and all attorney created documents, including,

but without limitation, memos, opinion letters, and draft documents prepared at the behest of the Board of Managers;

- c. Any documents that are confidential under constitutional, statutory or judicially imposed requirements;
- d. Disclosure of information in violation of law;
- e. Records of an Executive Session of the Board, including records that may give rise to an Executive Session of the Board;
- f. Records of individual Units other than those of the requesting Owner;
- g. Personnel, salary, or medical records relating to a specific individual; or
- h. Personal identification and account information of Members, including bank account information, telephone numbers, electronic email addresses, driver's license numbers, and social security numbers.

5. Copy and other Document Fees. The Association may impose a reasonable charge, covering the costs of labor and materials for copies of any documents the Association provides to a Member. The charge may not exceed the actual cost of production and reproduction of the records.

If a Member requests copies of Association documents which are not in the possession of the Association, the Member is responsible for whatever fees and costs are imposed by the entity (CPA, attorney, etc.) holding such records for copy and related costs, including but not limited to labor, materials and postage.

The Association is not obligated to compile or synthesize information.

**PRESIDENT'S**

**CERTIFICATION:** The undersigned, being the President of the Penn Towers Condominium Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing policy and procedure was adopted by the Board of Managers of the Association, at a duly called and held meeting of the Board of Managers on Nov 11, 2014, and in witness thereof, the undersigned has subscribed his/her name.

**PENN TOWERS CONDOMINIUM ASSOCIATION, INC.,**  
a Colorado nonprofit corporation

By: Nobias George  
President