

**RECORD PRODUCTION POLICY OF
SUFFOLK CHASE HOMEOWNERS ASSOCIATION, INC.**

1.1 Effective Date

Notwithstanding any language to the contrary and regardless of the date of adoption of these Bylaws, the effective date of this Policy is January 1, 2014.

1.2 Conflict With Other Provisions

If there are any conflicts between the provisions of this Policy and any provision in any other governing document, the provisions of this Policy will control.

1.3 Request For Records

An Owner or the Owner's authorized representative requesting Association records must submit a written request to the mailing address of the Association or authorized representative as reflected on the most current filed management certificate. The written request must contain:

- (a) sufficient detail to describe the books and records requested, and
- (b) an election either to inspect the books and records before obtaining copies or to have the Association forward copies of the requested books and records.

1.4 Timeline For Record Production

- (a) **If inspection requested.** If an inspection is requested, the Association will respond within ten (10) business days by sending written notice by mail, fax, or email setting out the date(s) and times during normal business hours that the inspection may occur. Any inspection will take place at a mutually-agreed time during normal business hours, and the requesting party must identify any books and records the party wishes the Association to copy.
- (b) **If copies requested.** If copies are requested, the Association will produce the copies within ten (10) business days of the request.
- (c) **Extension of timeline.** If the Association is unable to produce the copies within 10 business days of the request, the Association will send written notice to the Owner by mail, fax, or email, and state a date, within fifteen (15) business days of the date of the Association's notice, that the copies or inspection will be available.

1.5 Format

The Association may produce documents in hard copy, electronic form, or other format of its choosing.

1.6 Charges

In accordance with State law, the Association may charge for time spent compiling and producing all records, and may charge for copy costs if copies are requested. These charges will be the maximum amount then allowed by law under the Texas Administrative Code. The Association may require advance payment of actual or estimated costs. As of July 2011, the maximum allowable charges for common items are:

- (a) Paper copies – 10¢ per page
- (b) CD - \$1 per disc
- (c) DVD - \$3 per disc

- (d) Labor charge for requests of more than 50 pages - \$15 per hour
- (e) Overhead charge for requests of more than 50 pages – 20% of the labor charge
- (f) Labor and overhead may be charged for request for fewer than 50 pages if the records are kept in a remote location and must be retrieved.

The Association shall estimate the costs of compiling, producing and reproducing books and records requested by an owner or an owner's representative on the basis of the rates set forth in this Section. The Association may require advance payment of the estimated costs of compiling, producing and reproducing the requested books and records. If payment of the estimated costs is required and the actual costs are greater than the estimated costs, the owner shall be required to pay the additional amount to the Association within thirty (30) days of the date that the requested books and records are delivered. If payment of the estimated costs is required and the actual costs are less than the estimated costs, the Association shall refund the excess amount to the owner within thirty (30) days of the date the books and records are delivered. If payment of the estimated costs is required and the owner fails to pay the additional amount (i.e., the difference between the actual costs and the estimated costs) within thirty (30) days of the date the books and records are delivered, the Association may add the additional amount to the owner's assessment account as an assessment.

1.7 Private Information Exempted From Production

In accordance with State law, the Association has no obligation to provide any of the following types of information:

- (a) history of an Owner's violations;
- (b) personal financial information of an Owner;
- (c) contact information for an Owner, other than the Owner's address;
- (d) personnel files or any other information relating to Association employees.

1.8 Existing Records Only


The duty to provide documents on request applies only to existing books and records. The Association has no obligation to create a new document, prepare a summary of information, or compile and report data.

CERTIFICATION

IN WITNESS WHEREOF, we, being all of the Directors of Suffolk Chase Homeowners Association, Inc., have hereunto set our hands this 17 day of March, 2014.



 [David Harris, President]



 [Nick Palermo, Vice President]



 [Jose De La Rosa, Secretary/Treasurer]