

**RESOLUTION OF THE
CHATEAU CHAPARRAL OWNERS ASSOCIATION REGARDING POLICY AND PROCEDURES
FOR RECORDS MANAGEMENT
AS ADOPTED June 11, 2017 & Revised November 10, 2021
(In Accordance with Colorado Revised Statute 317 and HB 21-1229)**

Written requests for copies of the Association documents/records must be submitted via USPS or email to the CCOA office at least ten (10) days prior to production of the documents stating the specific items and date ranges, if applicable, as well as the mode in which the documents are to be delivered. Requests to examine records must be submitted as stated above. Examination and copying times are limited to normal business hours or by mutual arrangement with the custodian of the records.

A. In addition to any records specifically defined in the Association's Governing Documents, the Association must maintain the following, all of which shall be deemed to be the sole records of the Association for the purposes of document retention and production to owners:

- i. Detailed records of receipts and expenditures affecting the operation and administration of the Association
- ii. Records of claims for construction defects and amounts received pursuant to settlement of those claims.
- iii. Minutes of all meetings of its lot owners and the Board of Managers, a record of all actions taken by the lot owners or Board of Managers without a meeting, and a record of all actions taken by any committee of the Board of Managers.
- iv. Written communications among and the votes cast by the Board of Managers members that are:
 - a. Directly related to an action taken by the Board without a meeting, or:
 - b. Directly related to an action taken by the Board without a meeting pursuant to the Association's Bylaws.
- v. The names of lot owners in a form that permit preparation of a list of the names of all unit owners and the physical mailing addresses at which the Association communicates with them, showing the number of votes each lot owner is entitled to vote.
- vi. Its current Declaration, Covenants, Bylaws, any other organizational documents, Rules and Regulations, Responsible Governance Policies and other policies adopted by the Board of Managers.
- vii. Financial statements for the past three (3) years and tax returns of the Association for the past seven (7) years, to the extent available.
- viii. A list of the names, electronic mail addresses, and physical mailing addresses of its current Board members and Officers.
- ix. Its most recent annual report delivered to the Secretary of State, if any.

- x. Financial records sufficiently detailed to enable the Association to comply with current law concerning statements of unpaid assessments.
- xi. The Association's most recent reserve study, if any.
- xii. Current written contracts to which the Association is a party and contracts for work performed for the Association within the immediately preceding two (2) years.
- xiii. Records of the Board or committee actions to approve or deny any requests for design or architectural approval from lot owners.
- xiv. Ballots, proxies, and other records related to voting by lot owners for one (1) year after the election, action, or vote to which they relate.
- xv. Resolutions adopted by the Board relating to the characteristics, qualifications, rights, limitations, and obligations of members or any class or category of members.
- xvi. All written communications within the past three (3) years to all unit owners. All records maintained by the Association must be available for inspection and copying by lot owners or the owner's authorized agent.

B. SENSITIVE, PRIVILEGED, AND PERSONAL INFORMATION

- i. A membership list, or any part thereof, may not be obtained or used by any person for any purpose unrelated to a lot owner's interest.
- ii. A membership list or any part thereof may not be:
 - a. Used to solicit money or property unless such money and property will be used solely to solicit the votes of the unit owners in an election to be held by the Association.
 - b. Used for commercial purposes; or
 - c. Sold or purchased by any person
- iii. Records maintained by the Association may be withheld from inspection and copying to the extent that they are, or concern:
 - a. Architectural drawings, plans, and designs, unless released upon the written consent of the legal owner of the drawings, plans, or designs;
 - b. Contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are currently in or under negotiation;
 - c. Communications with legal counsel that are otherwise protected by the attorney client privilege or the attorney work product doctrine;
 - d. Disclosure of information in violation of law;
 - e. Records of an executive session of the Board of Managers;
 - f. Individual lots other than those of the requesting owner.
- iv. Records maintained by an Association are not subject to inspection and copying and they must be withheld, to the extent that they are or concern:
 - a. Personnel, salary or medical records relating to specific individuals; or
 - b. Personal identification and account information of members and residents, including bank account information, telephone numbers, electronic mail addresses, driver's license numbers, and social security numbers; except that a member or resident may

provide the association with prior written consent to the disclosure of, and the association may publish to other members and residents, the persons telephone number, electronic mail address, or both. The written consent must be kept as a record of the Association and remains valid until the person withdraws it by providing the Association with a written notice of withdrawal of the consent. If a person withdraws his or her consent, the Association is under no obligation to change, retrieve, or destroy any document or record published prior to the notice of withdrawal.

C. The Association may impose a reasonable charge, which may be collected in advance for copies of Association records. The charge may not exceed the estimated costs of production and reproduction of the records.

D. A right to copy records under this section includes the right to receive copies by photocopying or other means, including the receipt of copies through an electronic transmission if available, upon request by the lot owner.

E. An Association is not obligated to compile or synthesize information

F. Association records and the information contained within those records shall not be used for commercial purposes.

PRESIDENT'S CERTIFICATION: The undersigned, being the President of the Chateau Chaparral Owners Association a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Managers of the Association, at a duly called and held meeting of the Board of Managers on June 11, 2017 and revised at a duly called and held meeting of the Board of Managers on November 10, 2021, in witness thereof, the undersigned has subscribed his/her name.

CHATEAU CHAPARRAL OWERS ASSOCIATION,

A Colorado non-profit corporation

By: _____

Its: President