

Red Fox Hills Homeowners Association

Inspection of Records Policy

(Adopted pursuant to C.R.S. § 38-33.3-209.5 and § 38-33.3-317)

1. Purpose

This Inspection of Records Policy (“Policy”) is adopted by Red Fox Hills Homeowners Association (“Association”) to establish uniform procedures for owners to inspect and obtain copies of the Association’s records in compliance with the Colorado Common Interest Ownership Act (“CCIOA”). The intent of this Policy is to balance transparency and owner access with the Association’s obligation to protect sensitive, confidential, and privileged information.

2. Authority

This Policy is adopted in accordance with C.R.S. § 38-33.3-209.5(1)(b)(V), requiring associations to adopt a written policy governing inspection and copying of records, and C.R.S. § 38-33.3-317, which specifies which records must be available for inspection and which may be withheld.

3. Right to Inspect

1. Any unit owner, or their authorized representative, may inspect and copy Association records during reasonable business hours after providing proper written notice.
2. The right to inspect extends only to records reasonably related to the owner’s membership interest in the Association.
3. Tenants, non-owners, or others without ownership interest are not entitled to access Association records.

4. Records Available for Inspection

The following records are generally available for inspection, unless specifically exempt under state law:

1. Governing documents (Declaration, Bylaws, Articles of Incorporation, Rules, and Policies).
2. Minutes of all member and Board meetings (excluding executive sessions).
3. Resolutions adopted by the Board.
4. Financial records, including budgets, balance sheets, income statements, and bank account summaries.
5. Current contracts to which the Association is a party.
6. Insurance policies currently in effect.
7. Written communications to all members within the last three (3) years.
8. Lists of current members and voting rights (excluding sensitive contact data).
9. Records of assessments, delinquencies (with identifying details redacted), and reserve account balances.
10. The Association’s most recent annual report and tax filings.

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5. Records That May Be Withheld

The Association may withhold or redact, in whole or in part, the following types of records under C.R.S. § 38-33.3-317(3):

1. Attorney-client privileged communications or attorney work product.
2. Information related to pending or anticipated litigation or mediation.
3. Personal identification and contact information of members (other than names and addresses).
4. Information related to individual delinquencies or payments by other owners.
5. Personnel, salary, or medical records relating to specific individuals
6. Executive session minutes.
7. Contracts under negotiation or proprietary business information.

6. Procedure for Requesting Inspection

1. The owner must submit a written request to the Association's Board or managing agent specifying the records requested and the purpose of the request.
2. The Association shall respond within ten (10) business days after receiving the written request, either providing the requested records or explaining any lawful reason for denial or delay.
3. Records will generally be provided within thirty (30) calendar days unless additional time is required due to volume or retrieval complexity.

7. Location and Format of Inspection

1. Inspections shall occur at the Association's principal office, management office, or another location determined by the Board.
2. The Association may provide records electronically in lieu of physical inspection if convenient for both parties.
3. Records shall be made available for review during normal business hours by appointment only.

8. Fees for Copies

1. Owners may obtain copies of records at a reasonable cost, not to exceed the Association's actual out-of-pocket expenses.
2. Fees may include the cost of copying, scanning, postage, or staff time (if extraordinary).
3. The Association may require prepayment of estimated copying costs before providing records.

9. Confidentiality

All owners who receive Association records must use them solely for legitimate Association purposes and must not:

1. Use records for commercial solicitation or political campaigns;
2. Publish or distribute them publicly; or
3. Violate any applicable privacy laws.

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Violation of this section may result in suspension of inspection privileges and/or legal action.

10. Record Retention

The Association shall maintain and preserve its records in accordance with C.R.S. § 38-33.3-317 and best business practices. Electronic or paper copies shall be retained for the following minimum periods:

1. Governing documents: Permanent
2. Financial and tax records: 7 years
3. Meeting minutes and resolutions: Permanent
4. Contracts and insurance policies: Duration of contract + 3 years
5. Correspondence and general records: 3 years

11. Policy Review

This Policy shall be reviewed by the Board every five (5) years or upon changes in applicable law.

12. Effective Date

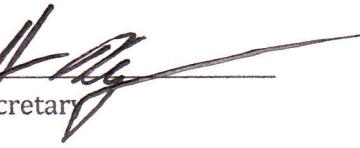
This Policy becomes effective upon adoption by the Board of Directors and supersedes any prior inspection policy.

Adopted by the Board of Directors on: JAN 5, 2025

Effective Date: JAN 5, 2025

By: 
Helmuth Naumer, President, Board of Directors

Red Fox Hills Homeowners Association

Attest: 
Jeff Kagan, Secretary