



Records Request Policy and Procedure

In accordance with the Code of Regulations for Morningside at Martin's Run Homeowners' Association, Inc., Members may request an inspection of Association records.

1. RECORDS AVAILABLE FOR INSPECTION

- a. The Association's Board may withhold from inspection any records that in its reasonable business judgment would:
 - i. Constitute an unwarranted invasion of privacy;
 - ii. Constitute privileged information under the attorney-client privilege;
 - iii. Involve pending or anticipated litigation or contract negotiations; and/or
 - iv. Involve the employment, promotion, discipline, or dismissal of a specific Board Member or employee

2. ALL REQUESTS FOR RECORDS MUST BE IN WRITING

- a. An owner who wants to inspect or copy the Association's records must submit a written request to the Association's managing agent. The request must specify the particular record(s) desired, including pertinent time periods, and shall state whether the request is for inspection or copying. The request must be sufficiently detailed to allow the Association to retrieve the record(s) requested. Refer to the Request to Inspect Records attached hereto or full details.

3. ONLY OWNERS OR AUTHORIZED REPRESENTATIVE MAY INSPECT

- a. Every owner shall have the right to inspect or copy the Association's records in compliance with the rules and procedures contained in this policy.
- b. An owner may authorize, in writing, an attorney or other designated representative to conduct this inspection or request copies on the owner's behalf.

4. RULES OF CONDUCT AND PROCEDURE GOVERNING REQUEST TO INSPECT/COPY

- a. All inspections shall take place at the Association's office or at such other location as the Board designates. No owner shall remove original records from the location where the inspection is taking place.
- b. The Association shall make records available for inspection in accordance with the terms specified in the Request to Request Records attached hereto. This time frame may be extended by the Association and/or its managing agent if the records requested are so voluminous or otherwise in such condition as to render this timeframe unreasonable. The Association and/or its managing agent will notify the Owner (by telephone, in person, by email, or in writing) that the records are available, and specify the time, date, and place for the inspection.
- c. No Owner shall alter Association records in any manner.



- d. Owners inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operations of the Association's office and/or its managing agent or such other location where the inspection or copying is taking place. The Association office, its managing agent, or place of inspection or copying, shall assign one staff person to assist in the inspection. All requests for further assistance and copying during an inspection shall be directed only to that one staff person.
- e. During an inspection, the Owner may designate for copying such records by use of a tab, clip, or Post-It note upon the page(s) desired.
- f. Owner shall not exercise their inspection or copying rights to harass any other owner or resident, board member, its managing agent, officer, director, or employee.



Request to Inspect Records

This request form must be completed by any Owner wishing to inspect or receive copies of any Association books of account, meeting minutes, membership roster, or other Association documents. A minimum of ten (10) business days is needed to process a request. If there is a question with any request, the Owner will be notified within a reasonable amount of time of the reason for any delay. This form must be sent to the Association's managing agent, **KareCondo – PO Box 1714, Stow, OH 44224; or via fax 330-688-4932.**

The Association requires that the Owner provide the reason for each record requested and the intended purpose of the request to protect the Association and personal confidences where necessary. The Association's goal and intent is to allow inspection of most Association documents. However, given the personal and legal nature of some documents, the Association must place reasonable restrictions on the inspection process. This includes a requirement that any inspection take place in the presence of an Association representative.

Inspections of the Association's records shall take place during normal business hours at:

KareCondo – 1714 Georgetown Road, Suite H, Hudson, OH 44236

Copying charges are **\$ 0.12** per page and a minimum clerical fee of **\$ 10.00** for the copying of pages 1 through 50 plus an additional clerical fee of **\$ 10.00** for every additional increment of 50 pages copied. The actual cost of all mailing charges will also be the Owner's responsibility. To preserve the sanctity of the records, a physical records inspection requires the presence of a staff member. You, the Owner, agree to pay **\$ 30.00** per hour in quarter hour increments for staff attendance at the records inspection. All inspection, copying, and mailing charges will be assessed to the homeowner's account and/or paid in advance, as the Board shall determine.

This form must be completed in full, signed, and dated in order to process the request.

Owner's Name: _____

Address: _____ **Telephone Number(s):** _____

Record Requested

Reason and Purpose of Request

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |

Preferred inspection dates and time: _____



Do you anticipate making copies of any records to be inspected? **Yes** _____ **No** _____

If you prefer receipt of copies of the records listed above via regular U.S. Mail to an actual inspection, please check here: _____

Requests for mailed copies of records will be filled within **10 business days** of receipt request.

The charges listed in the instructions will be assessed to your account. If the charges are expected to exceed **\$ 25.00**, do you wish to receive a total estimate of the charges before receiving the records?

Yes _____ **No** _____

I hereby agree not to use or distribute any information or documents obtained from the inspection or copying of any Association records for any reason or purpose other than as stated above. I agree to indemnify, defend, and hold Morningside At Martin's Run Homeowners' Association, Inc., its board members, officers, and its managing agent, and their respective successors, heirs, and assigns, harmless for any claim made or damage sustained by any person arising from, related to, or concerning my inspection, use, or receipt of copies of Association records. I further consent and agree that all inspection and copying charges incurred pursuant to this request, as outlined above, will be assessed to my account or paid in advance, as directed by the Board.

Owner Signature: _____ **Date Signed:** _____