

Rosewood Hills Property and Homeowners Association
Records Retention & Disclosure Policy

PURPOSE: Policy setting forth the Association's process for maintaining and storing records of the Association, and for responding to and processing Lot Owners' requests for Association records.

EFFECTIVE DATE: JULY 15, 2025

AUTHORITY: Amended and Restated Declaration of Protective Covenants of Rosewood Hills, the Bylaws of the Association, the Association's Articles of Incorporation, and the Colorado Common Interest Ownership Act, Section 38-33.3-317, Colorado Revised Statutes.

RESOLUTION

WHEREAS, the Board of Directors finds that Colorado law requires homeowner's associations to adopt a written policy for maintaining and storing the permanent records of the association, and for responding to Lot Owners' requests to inspect and copy those records; and

WHEREAS, the Board of Directors finds that the Association must update its existing policies for maintaining and storing Association records, as well as responding to requests for said records.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ROSEWOOD HILLS PROPERTY AND HOMEOWNERS ASSOCIATION: I. Maintenance and Retention of Association Records.

The Association shall keep the following in its permanent records:

- a) minutes of all Board and Lot Owner meetings;
- b) records of all actions taken by the Board by written ballot or consent in lieu of holding a meeting including, but not limited to, written communications among, and the votes cast by, members of the Board;
- c) records of all actions taken by Lot Owners by written ballot or consent in lieu of holding a meeting including, but not limited to, written communications among, and the votes cast by, the Lot Owners;

- d) records of all actions taken by a committee of the Board on behalf of the Association;
- e) ballots, proxies, and other records related to voting by Lot Owners for one year after the election, action, or vote to which they relate;
- f) the Association's Articles of Incorporation;
- g) the Amended and Restated Declaration of Protective Covenants of Rosewood Hills;
- h) the Bylaws of the Rosewood Hills Property and Homeowners Association;
- i) rules and regulations applicable to Lot Owners and/or the Association;
- j) Board resolutions affecting Lot Owners;
- k) responsible governance and other policies adopted by the Board;
- l) all written communications within the last three years to Lot Owners generally as Lot Owners;
- m) a list of the names, electronic mail addresses, and physical mailing addresses of current Board members and officers;
- n) a record of Lot Owners from which a list of names and addresses of all Lot Owners and their allocation of votes can be prepared;
- o) the most recent annual report filed with the Colorado Secretary of State, if any;
- p) detailed records of receipts and expenditures affecting the operation and administration of the Association;
- q) records of claims for construction defects and amounts received pursuant to settlement of those claims;
- r) annual financial statements for the past three years;
- s) tax returns of the Association for the past seven years;
- t) financial records of unpaid assessments;
- u) the Association's most recent reserve study, if any;
- v) current written contracts to which the Association is a party;

- w) contracts for work performed for the Association within the past two years;
- x) records of any Board or committee action approving or denying a request submitted by a Lot Owner for design or architectural changes; and
- y) any financial audit or review required by Section 38-33.3-303(4)(b), Colorado Revised Statutes.

The Secretary of the Association shall be responsible for maintaining these records, which will be stored at the principal offices of the Association. The records will be maintained in either written form or a form capable of easy conversion into written form within a reasonable time.

II. Responding to and Processing Records Requests.

All records maintained by the Association shall be available for inspection and copying by a Lot Owner or the Lot Owner's authorized agent. Association records shall be open for inspection by appointment. All requests to review records must be in writing and submitted to the Secretary of the Association addressed as follows:

Jim Hitt
P.O. Box 5222
Woodland Park, Colorado 80866

No verbal requests will be accepted or processed. All written requests for Association records must describe the records sought with reasonable particularity. The Secretary will contact the Lot Owner to schedule a date for inspection to occur within 30 calendar days after the Secretary receives the Lot Owner's request.

The Secretary of the Association may make such rules for the inspection of the Association's records as are reasonably necessary to carry out this policy and as are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the Secretary's duties.

The Secretary of the Association, or their designee, will determine any data collection procedure(s) and costs necessary to comply with requests for copies of Association records. An estimate of the costs to produce the copies requested will be provided to the Lot Owner and the Lot Owner will have to deposit the estimated amount with the Secretary before the request will be processed. Should the production of records prove more costly than estimated, the Lot Owner will need to pay the difference before copies will be released. Should the actual cost be less than the estimate, the Association will refund the difference to the Lot Owner. Under no circumstances shall a Lot Owner be allowed to remove an original record from the Association's office.

III. Costs of Producing Copies

The following charges apply to requests for copies or other reproduction of Association records:

- a) The charge for copies is \$0.25/page or such other amount as may be authorized by the Secretary from time to time.
- b) The charge for providing copies of records on electronic media other than paper (e.g., DVD, CD, tape, USB flash drive, etc.) is \$1 per disk, tape or flash drive or such other amount as may be authorized by the Secretary from time to time.
- c) If records must be sent to an outside vendor for retrieval and/or copying, the Lot Owner shall be responsible for the actual costs incurred for such services, which must be paid in advance.

IV. Grounds for Denial of a Request for Records

The Secretary shall deny any Lot Owner the right to inspect records exempted by Sections 38-33.3-317(3) and (3.5) of the Colorado Revised Statutes including, but not limited to, the following types of records:

- 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;
- f) records of individual Lots other than those of the requesting Lot Owner; or
- g) personnel, salary, or medical records relating to specific individuals; and
- h) personal identification and account information including, but not limited to, bank account information, addresses, telephone numbers, electronic mail addresses, dates of birth, driver's license numbers, and social security numbers.

V. Prohibited Use of Association Records

The following **is strictly prohibited**:

- a) Maintaining or using a membership list for any purpose unrelated to a Lot Owner's interest as a Lot Owner without consent of the Board.
- b) Using a membership list to solicit money or property unless such money or property will be used solely to solicit the votes of the Lot Owners in an election to be held by the Association.
- c) Using a membership list for any commercial purpose.
- d) Selling a membership list to any person.
- e) Using any Association records and the information contained within those records for commercial purposes.

CERTIFICATION

The undersigned, being the President of the Rosewood Hills Property and Homeowners Association, a Colorado non-profit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board on July 15, 2025, and in witness thereof, the undersigned has subscribed his name below.

HOMEOWNERS ASSOCIATION, INC.

Original Signed 15 July 2025 and on file with the Secretary

By: Mike Neubert, President

ATTEST:

Original Signed 15 July 2025 and on file with the Secretary

By: Jim Hitt, Secretary