

CAROLINE OAKS HOMEOWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION 12- 01

(Requests for Examination and Copying of the Association's Records)

WHEREAS, Article VII, Section 1(c) of the Bylaws grants the Board of Directors with authority to adopt and amend any reasonable Rules and Regulations; and

WHEREAS, Section 55-510 of the Virginia Code obligates the Association to provide its members who are in good standing with the Association with the right to examine and copy certain records of the Association, subject to certain procedures approved by the Board of Directors; and

WHEREAS, pursuant to Section 55-510(D) of the Virginia Code, the Association must adopt a policy adopting a cost schedule that (i) specifies the charges for materials and labor; (ii) applies equally to all members in good standing; and, (iii) is provided to any member requesting to review and/or copy the Association's books and records at the time the request is made; and

WHEREAS, the Board has decided that is in the best interest of the Association to adopt a written policy regarding the provision of records to its members.

NOW, THEREFORE, BE IT RESOLVED:

A. Record Keeping and Access to Records

1. Acting on its own or through a managing agent, the Association shall prepare and keep, for a minimum of one (1) year, detailed books and records of receipts and expenditures affecting the operation and administration of the Association. With respect to all books, records and/or files relating to matters other than expenditures, the Association shall keep those books and records for such reasonable time periods as determined by the managing agent.
2. Subject to certain exceptions set forth below, members shall have the right to examine and copy these books and records, provided that their membership is in Good Standing. Good Standing shall be defined to mean that a member is current in the payment of assessments and any other financial obligation to the Association and compliant with all other responsibilities of membership, including, but not limited to, maintenance of his or her Lot in a condition that does not violate any term or provision of the Governing Documents.
3. In order to exercise the rights described herein, members must complete the attached form, Exhibit A, and file it with the Association's managing agent, or other duly appointed representative. After receipt of a filing, the Association's representative shall have the authority to review the form and make determinations as to its completeness and satisfaction of all requirements

necessary to allow the Association to act upon the filing. If a form is not complete, the Association shall notify the member of the deficiency, required corrective action, and that no records shall be provided or made available until such corrective action is taken.

4. Upon receipt of a completed form and within a reasonable period of time, the Association shall provide the member with the cost schedule attached hereto as Exhibit A, as well as an estimate on the costs associated with responding to the request. An estimate may include, but not be limited to, the costs of locating, duplicating, and supplying the records, which includes the cost of materials and labor. Prior to the Association performing any work related to the request, members must pay the estimated charges in advance. Upon receipt of payment (or clearance of a personal check) the Association shall make arrangements for a meeting at a mutually convenient time or provide the member with copies of the requested records within five (5) days of receipt of the payment.
5. Whenever a member makes a written request to examine original records, the Association shall have a member of its managing agent or the Board of Directors meet with the member and serve as a custodian of the records for the protection of the documents. The Association will include the cost of this service in the estimate and may establish reasonable limitations on how long such meetings may last.
6. After the rendering of services requested, the Association shall compare the estimate with the actual costs incurred by the Association as set forth in the cost schedule. If the amount paid by the member exceeds the actual costs, the Association shall promptly refund the difference to the member. If the actual costs exceed the estimate, the Association shall notify the member and the member shall be obligated to pay the difference. The Association may withhold additional services and/or copies until it receives payment.

B. Exempt Records

The following records are exempt from the members' right to examine and copy:

1. Personnel matters related to a specific, identified employee and person's medical records;
2. Any documentation which relates to a (i) contract, lease and other commercial transactions currently under negotiation; (ii) pending or probable litigation; (iii) matters involving state or local administrative or other formal proceedings before a government tribunal for enforcement of the association documents or rules and regulations;
3. Communications with legal counsel which are protected by the attorney-client privilege

4. Any records that any law prohibits the Association from providing to a 3rd party;
5. Minutes and other records reviewed in an executive session of the Board or Committee;
6. Individual member files, other than those of the requesting member;
7. Any drafts or other documents not yet approved by the Board for incorporation into the Association's books and records.

C. Requests of Minimal Time and Cost

If the Association concludes that a request submitted by a member involves a nominal amount of time and cost to the Association, it may waive any of the above requirements. For purposes of this Resolution, "nominal requests" shall include requests for copies of:

1. Approved minutes or highlights of the most recent meeting of the Board of Directors or membership Meeting;
2. Approved minutes or highlights of the most recent meeting of any Committee;
3. The Association's current annual operating budget;
4. The Association's most current financial management report;
5. The Association's most recent annual audit;
6. The Association's most recent income tax forms; and
7. The file of the requesting member.

D. Miscellaneous

1. The Association shall not have any obligation to create documents in response to any member's request for records.
2. The Board shall have the right to amend the cost schedule attached hereto as Exhibit B without having to amend the entire resolution.

EFFECTIVE DATE OF RESOLUTION

The effective date of this Resolution shall be 12/19/2012

I hereby certify that this Administrative Resolution was duly adopted by the Board of Directors at a regular meeting on 12/19/2012.

CAROLINE OAKS HOMEOWNERS
ASSOCIATION

By:



Vernon Smith, Board President

**CAROLINE OAKS HOMEOWNERS ASSOCIATION
RECORD REQUEST FORM**

You may use this form to request copies of or inspect the official records of the Caroline Oaks Homeowners Association ("Association"). In order to properly submit a request, please complete, sign and date this form and mail or it to the Association's President at the address below:

Caroline Oaks Homeowners Association

Vernon R. Smith, President
9391 Peter Roy Court
Burke, VA 22015
703 866-0290

Name of Requesting Party: _____

Mailing Address: _____

Address of Property located within the Association if different than mailing: _____

Phone: (Home) _____ **(Work)** _____

(Mobile) _____ **(Email)** _____

Please describe the records you wish to copy and/or inspect (include all relevant, dates, names or other identifying information):

Please describe the purpose of your request: _____

Please check applicable box(es):

I am requesting to receive copies of the above-referenced records.

I am requesting to conduct an in-person inspection of the above-referenced records. I am requesting to inspect such records on _____ at _____.

(The Association will provide you confirmation of the appropriate time, date and location for the inspection)

Please note, not all Association records are available for review and inspection, per Section 55-510(C) of the Virginia Property Owners' Association Act. You will be notified if your request contains records subject to withholding. You will also be notified of the estimated cost, if any, related to your request and such charges must be paid in advance of the Association fulfilling your request.

Be advised, the Association is only obligated to respond to record requests from those members of the Association who are in "good standing." Good Standing shall be defined to mean that a member is current in the payment of assessments and any other financial obligation to the Association and compliant with all other responsibilities of membership, including, but not limited to, maintenance of his or her Lot in a condition that does not violate any term or provision of the Governing Documents.

You must date and sign this form. Anonymous complaints will not be accepted.

Signature: _____ Date: _____

Received by: _____

Date: _____

Exhibit B
Cost Schedule

Copies shall be billed at a rate of \$0.20 per page.

CAROLINE OAKS HOMEOWNERS ASSOCIATION
ADMINISTRATIVE RESOLUTION NO. 12- 01

RESOLUTIONS ACTION RECORD

Duly adopted at a meeting of the Board of Directors held 19 December, 2012.

Motion by: Kathleen Young Seconded by: Linda Bixby

VOTE:	YES	NO	ABSTAIN	ABSENT
Vernon Smith President	<u>X</u>	_____	_____	_____
George Hutchinson Vice President	_____	_____	_____	<u>X</u>
Linda Bixby Secretary	<u>X</u>	_____	_____	_____
Kathleen Young Treasurer	<u>X</u>	_____	_____	_____
Leonard Gliatta Director	<u>X</u>	_____	_____	_____
James Hutchison Director	_____	_____	_____	<u>X</u>
Jennifer Collins Director	_____	_____	_____	<u>X</u>

CERTIFICATE OF MAILING OR DELIVERY

I hereby attest that this Policy Resolution was mailed and/or hand-delivered to the addresses of record of the Owners on this 19 day of December, 2012.

19 December 2012
Date



Linda Bixby, Secretary
CAROLINE OAKS HOMEOWNERS
ASSOCIATION