

**FLEETWOOD WEST PROPERTY OWNERS ASSOCIATION
DOCUMENT PRODUCTION AND COPYING POLICY**

STATE OF TEXAS §
 §
 §

COUNTY OF HARRIS

WHEREAS, Fleetwood West Property Owners Association ("the Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Association's By-Laws, the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Fleetwood West Property Owners Association, as well as applicable State and Federal laws; and

WHEREAS this document sets forth the Fleetwood West POA general policy regarding the production of Association records pursuant to the Association's Bylaws, the respective Declaration of Covenants, and Conditions & Restrictions encumbering properties governed by FWPOA as well as applicable state and federal laws.

NOW, THEREFORE, the Board has duly adopted the following Document Production and Copying Policy:

1. Records in General. The Association shall make its books and records including financial records open to and available for examination by an owner, or a person designated in writing signed by an owner as the owner's agent, attorney or certified public accountant, in accordance with Section 209.005 of the Texas Property Code.
2. Attorney's Records Exception. Attorney's files and records relating to the Association, excluding invoices requested by and owner under TPC Section 209.008 (d) are not records of the Association and are not subject to inspection by the owner.
3. Parties Entitled to Request Records. An owner, or a person designated in a writing signed by the owner as the owner's agent, attorney or certified public accountant, in accordance with Section 209.005 of the Texas Property Code. To ensure a writing designating an owner's agent is authentic, the owner must include a copy of his/her photo ID or have the designation notarized.
4. A party described in Section 3 above must submit a written request for access to, or information contained within, the Association records, by certified mail, with sufficient detail describing the Association's books and records requested, to the Association at P O Box 940072, Houston, Texas 77094-7072. The person requesting the records must state in the request whether they are requesting to inspect the books and records prior to obtaining copies, of if they are requesting to have the Association forward copies of the requested books and records. If requesting to have the Association forward copies of the requested records and

RP 009-34-1101

✓ RT.
KEITH REED
1008 Fleetwood PK Drive
Houston TX 77079

books, the letter must indicate the format requested and method of delivery requested.

- a. Upon receipt of a proper request, the Association shall, on or before the 10th business day, after the date the Association receives the request, send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Association; or
 - b. If copies of identified books and records are requested, the Association shall, to the extent those books and records are in the possession, custody, or control of the association, produce the requested books and records for the requesting party on or before the 10th business day after the date the Association receives the request, and any required advance payment has been received.
5. Format. The Association may produce the requested books and records in hard copy, electronic, or other format reasonably available to the association.
 6. Method of Delivery. Email, certified mail, facsimile or pick-up.
 7. Delay in Delivery. If the Association is unable to produce, or make available for review, the requested books and records on or before the 10th business day after receipt of a request, the Association will provide in writing to the requestor notice of its inability to produce the requested books and records within the proscribed period of time, and the date by which the books and records will be available, to be no later than the 15th business day after the date of notice given by the association.
 8. All costs related to a Request for Production will be passed on to the Owner making the request, and must be paid at the time of production.
 9. Records Not Available for Inspection.
 - a. the financial records associated with an individual owner; and
 - b. deed restriction violation details for an individual owner; and
 - c. personal information, including contact information other than an address for an individual owner; and
 - d. attorney files and records in the possession of the attorney; and
 - e. attorney-client privileged information in the possession of the Association.

The information in a, b and c above will be released if the Association receives express written approval from the owner whose records are the subject of the request for inspection.

10. Costs for Production Request:

- a. Any costs associated with a Records request must be paid in advance of delivery by the owner or their proxy. An owner who makes a request for Records and

2021-03-11 11:02

subsequently declines to accept delivery will be liable for payment of all costs under this Policy.

- b. On a case-by-case basis, in the absolute discretion of the Association, and with concurrence of the owner, the Association may agree to invoice the cost of the Records request to the owner's account. Owner agrees to pay the total amount invoiced within thirty (30) days after the date a statement is mailed to the Owner. Any unpaid balance will accrue interest as an assessment as allowed under the Declarations.
- c. On a case-by-case basis where an owner request for Records is deemed to be minimal, the Association or its managing agent reserves the right to waive notice under section 2 and/or fees under section 4.
- d. All costs associated with fulfilling the request under this Policy will be paid by the Association's Managing Agent. All fees paid to the Association under this Policy will be reimbursed to the Association's Managing Agent or paid directly to the Association's Managing Agent.

11. Fees and Charges: In accordance with the Texas Administrative Code.

- a. Compilation/Production Fee: \$15.00 per hour, to be no less than \$30.00 charge for each examination request; production or inspection.
- b. Copies: The following charges shall apply unless otherwise dictated by the Attorney General or Texas Administrative Code
 - i. black and white 8 1/2" x 11" single sided copies ... \$0.18 each
 - ii. black and white 8 1/2"x 11" double sided copies ... \$0.21 each
 - iii. color 8 1/2"x 11" single sided copies ... \$0.50 each
 - iv. color 8 1/2 "x 11" double sided copies ... \$1.00 each
 - v. PDF images of documents ... \$0.10 per page
- c. Compact disk \$1.00
- d. Mailing supplies... \$1.00 per mailing
- e. Postage: cost
- f. Other supplies: cost
- g. Third party fees: cost

This Document Production and Copying Policy is applicable to the following described property: a. Reserve "B" of Fleetwood, Section Four, a subdivision in the Joel Wheaton Survey, Abstract 80, in Harris County, Texas, according to map or plat thereof recorded in Volume 237, page 54, Map records of Harris County, Texas; and Fleetwood West, Section One, a re-plat of part of Reserve "c" of Fleetwood, Section 4, according to map or plat thereof recorded in *J. all*

Volume 266, Page 52, Map records of Harris County, Texas (hereinafter "Section One"); and replat of Fleetwood, Section Seven, according to plat recorded in Volume 292, page 122 of the Map Records of Harris County, Texas, previously platted as Reserve "A" of Fleetwood, Section (4) (hereinafter "Section Seven").

CERTIFICATION

"I, the undersigned, being the President of Fleetwood West Property Owners Association, hereby certify that the foregoing Policy was duly adopted at a properly called and held meeting of the Board of Directors on July 18, 2013."

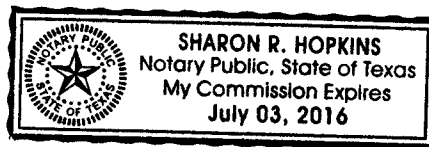
Keith Reed
President

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 29 th day of October, 2013, by Keith Reed, President of Fleetwood West Property Owners Association, a Texas non-profit corporation, on behalf of said corporation. *1/20*

Notary Public In and For The State of Texas



RP 009-34-1184

FILED

2013 OCT 30 AM 10: 36

Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

PP 009-34-1185

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

OCT 30 2013



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS