

Paradise Cove Homeowners Association

C/O C & C Property Management

MEMBERSHIP LIST RELEASE FORM

Members have the right to inspect and copy the association's membership list, including members' names, property addresses, and mailing addresses. The right to inspect is at reasonable times, upon 5 business days' prior written demand upon the association. Corp. 8330(a)

Purpose for Request. The member requesting the list shall state the purpose for the request, which purpose shall be reasonably related to the requester's interest as a member. If the board reasonably believes that the information in the list will be used for another purpose, it may deny the member access to the list. If the request is denied, in any subsequent action brought by the member the association shall have the burden to prove that the member would have allowed use of the information for purposes unrelated to his or her interest as a member. Civ. 1365.2(a)(1)(I)

Opt-Out. Although Corp. Code 8330(c) allows for withholding the membership list if the association provides an alternate means of communication, the statute was modified by Civ. Code 1365.2(a)(1)(I) so that boards can no longer withhold the list even if it provides an alternate means. However, individual owners may opt out of the sharing of their name and address by notifying the association in writing that they prefer to be contacted by the alternative process.

Corporate Asset. A membership list is a corporate asset. Without the consent of the board a membership list may not be:

1. Used to solicit money or property unless such money or property will be used solely to solicit the vote of the members in an election to be held by their corporation.
2. Used for any purpose which the user does not reasonably and in good faith believe will benefit the corporation.
3. Used for any commercial purpose or purpose in competition with the corporation.
4. Sold to others. Corp. 8338(a)

Penalty for Misuse. Any person who misuses a membership list is liable for any damage caused by the misuse, including punitive damages for a fraudulent or malicious misuse. Corp. 8338(b)

I have read the above and will not use the membership list for any of the above prohibited uses. Information contained in the list is deemed reliable but is not guaranteed accurate.

Purpose for Request:

Name:

Signature: _____

Date: _____