

Rules on Records Access and Inquiry

The Lakes of Deer Creek Condominium Association, Inc.

For purposes of the Rules pertaining to records and inquiries, the use of the term Owner includes the Owner's authorized representative and anyone else Florida's Condominium Act authorizes to inspect and/or obtain copies of the Association's official records.

- **Access to the official records of the Association:**

1. The official records of the Association are open to inspection by any owner or the authorized representative of the said owner at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at a reasonable expense, if any, to the owner. The Association is permitted to adopt reasonable rules regarding the frequency, time, location, notice and manner of record inspections and copying. Rules are as follows:
 - a) Any owner who wishes to review the official records of the Association pursuant to the Florida Condominium Act shall be entitled to review all official records that are specifically identified which are not otherwise protected from inspection as set forth in §718.111(12), Florida Statutes; however, an owner may not request to review these same official records again during the next twelve (12) calendar months following the initial review of the records.
 - b) The Association is only obligated to accept and respond to the first three (3) records inspection requests within any thirty (30) day period. Submitted in the manner set forth herein Any additional records inspection requests will not be accepted or responded to until they are properly resubmitted and so long as they (along with any new records inspections requests) do not exceed three (3) requests within any thirty (30) day period.
 - c) If the Association does not have the records requested or the request is for records not considered official records of the Association, the Association will not be required to fulfill the request.
 - d) The request to inspect official records must be submitted in writing via U.S. Mail certified return receipt to the Board in care of TMG Property Management 5310 NW 33rd Ave Suite #201Fort Lauderdale, FL 33309 Requests by facsimile or electronic mail (e-mail) are not deemed properly written requests for inspection of official records. The official records will be made available for inspection within ten (10) working days after receipt of the written request. For purposes herein, "working days" means Monday through Friday, not including Legal Holidays. The location for the inspection will be announced and during regular business hours.
 - e) The official records of the Association will be available for inspection for no more than four (4) hours per inspection. The Owner is not permitted to remove the official records from the inspection location nor is the Owner permitted to alter or destroy said records. A fee of \$0.25 cents per page will be charged should copies be requested.
 - f) Any tenant that is renting a unit can only request the Declaration of Condominium and their Bylaws no exception.

In order to confirm that someone has been authorized by the record titleholder of the unit to make a records inspection request, the record titleholder must advise the Association in writing that the person is authorized to make such request. Persons not authorized, will not be permitted to inspect Association records even if the person is an occupant of "The Lakes of Deer Creek Condominium Association, Inc."

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- **When an owner files a written inquiry:**
 - a) It must be sent certified mail return receipt requested to the Board care of the Board of Directors.
 - b) The Association is only obligated to respond to one written inquiry per unit in any given thirty (30) day period. In such a case, any additional inquiry or inquiries must be responded to in the subsequent thirty (30) day period, or periods, as applicable.
 - c) The Board shall respond in writing to the Owner within thirty (30) days after receipt of the inquiry. The Board's response shall either give a substantive response to the inquirer, notify the inquirer that a legal opinion has been requested, or notify the inquirer that advice has been requested from the Division. If the Board requests advice from the Division, the Board shall, within ten (10) days of its receipt of the advice, provide in writing a substantive response to the inquirer. If a legal opinion is requested, the Board shall, within sixty (60) days after the receipt of the inquiry, provide in writing a substantive response to the inquiry.

THE OFFICIAL RECORDS OF AN ASSOCIATION MUST INCLUDE THE FOLLOWING ITEMS:
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OFFICIAL RECORDS PURSUANT TO FLORIDA STATUTE SECTION 718.111(12).

- I. A copy of the plans, permits, warranties, and other items provided by the developer at the time of turnover pursuant to s. 718.301(4).
- II. Copies of the recorded declaration for each condominium, articles of incorporation, bylaws and any amendments to them and the current rules of the association.
- III. A book containing minutes of all association, board and unit owner meetings. Minutes must be kept for at least seven years.
- IV. The current roster of all unit owners and their mailing addresses. Owners who have consented to receive communications by these means.
- V. Accounting records for the association and separate accounting records for each condominium the association operates, for a minimum of seven years, including but not limited to:
 - a) Itemized records of all receipts and expenditures,
 - b) The current statement of account for each unit owner including the unit owner's name, the due date and amount of each assessment, the amount paid on the account and the balance due,
 - c) All audits, reviews, accounting statements and financial reports of the association.
 - d) All contracts for work to be performed, including bids for work to be performed which must be maintained for one year.

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- VI. Copies of all insurance records.
- VII. Bills of sale or transfer for all property owned by the association.
- VIII. Invoices for purchases made by the association.
- IX. Ballots, sign-in sheets, voting proxies, and all other papers relating to voting by unit owners.
- X. All rental records, only when the association is acting as an agent for the rental of units.
- XI. All other records of the association not specifically included in the foregoing, which are related to the operation of the association.

THE FOLLOWING RECORDS ARE NOT ACCESSIBLE TO UNIT OWNERS

- I. Records prepared by or at the direction of an association attorney, which reflects legal conclusions, strategies or legal theories and which were prepared for civil or criminal litigation or adversarial administrative proceedings until the conclusion of those proceedings.
- II. Certain information obtained by an association in connection with the approval of the lease, sale or some other form of transfer of a unit.
- III. Personnel records of association or management company employees, including, but not limited to disciplinary, payroll, health, and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an association employee or Management Company or budgetary or financial records that indicate the compensation paid to an association employee.
- IV. Medical records of unit owners.
- V. Social security numbers, driver's license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and other personal identifying information of any person.
 - a) The person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirement. Additionally, an owner may consent in writing to the disclosure of protected information described in this subparagraph.
 - b) Notwithstanding the restrictions in this paragraph, an association may print and distribute to parcel owners a directory containing the name, parcel address, and telephone number of each parcel owner. However, an owner may exclude his or her telephone number from the directory by so requesting in writing to the association.
- VI. Electronic security measures that are used by the association to safeguard data, including passwords association.

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- VII. The software and operating system used by the association which allows the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

Sincere Regards,

Board of Directors of
The Lakes of Deer Creek Condominium Association, Inc.

Note: The above Rules was approved in the minutes of the Meeting on ___/___/___