

Summer Point Village Homeowners Association, Inc.

POLICY REGARDING RECORDS INSPECTION & PRODUCTION

The Texas Property Code requires both condominium and property owners' associations to adopt a records production and copying policy and record it as a dedicatory instrument.

The following POLICY REGARDING RECORDS INSPECTION & PRODUCTION is hereby adopted:

RECORDS INSPECTION & PRODUCTION:

1. An Owner, or a person designated in a writing signed by the Owner as the Owner's agent, attorney or certified public accountant, may make a request to access the books and records of the Association, provided that such Owner or designated agent submit a written request by certified mail, return receipt requested to the association's mailing address on the current filed management certificate. The request must contain sufficient detail to identify the records being requested.
2. The Association may require advance payment of the estimated costs of compilation, production and reproduction of the requested information. If such advance payment is required, the Association shall notify the requesting owner in writing of the cost.
3. The Association will respond to the Owner's request in writing within ten (10) business days of receiving the request. If the Association is unable to produce the information within ten (10) business days, the Association must provide the requestor written notice that: (1) informs the requestor that the Association is unable to produce the information before the 10th business day; and (2) states a date by which the information will be sent or made available for inspection to the requesting party that is not later than the 15th business day after the date of the original response from the Association.
4. The inspection will take place at a mutually agreed upon time during normal business hours, and the requestor can identify the books and/or records to copy. The association may produce records in hard copy, electronic, or other format reasonably available to the association.
5. Absent a court order or the express written approval of the owner whose records are the subject of the request, the Association will not allow the inspection or copying of any records that identify the violation history of an individual owner, and owner's personal financial information, including records of payment or nonpayment of amounts due to the Association, an owner's contact information (other than the owners' address), or information relating to an employee of the Association, including personnel files.
6. The Association hereby adopts the following SCHEDULE OF CHARGES for the production and copying of records:
 - Copies: \$.10 per page for standard paper copies; \$.50 per page for oversize paper
 - Electronic Media: \$1.00 for each CD; \$3.00 for each DVD

- Labor: \$15.00 per hour for actual time to locate, compile and reproduce records (no charge for requests for 50 or fewer pages)
- Overhead: 20% of the total Labor charge (no charge for requests for 50 or fewer pages)
- Miscellaneous: The Association may charge for actual costs incurred in responding to the request, including costs for labels, boxes, folders, postage and/or shipping.

If the estimated costs are lesser or greater than the actual costs, the association shall provide the owner a final invoice within 30 days after the information is delivered or provided. If the invoice includes additional amounts due from the owner, those amounts may be added to the owner's account as an assessment if not paid before the 30th business day the invoice is sent to the owner.

If the estimated costs exceeded the final invoice amount, the owner is entitled to a refund within 30 business days after the invoice is sent.

A member that is denied access to the books or records of the association may petition the justice of peace (JP) for relief. The JP may grant one or more of these remedies:

1. Judgment ordering release or access to the records;
2. Judgement against the association for court costs and attorney fees incurred with this action; or
3. Judgement authorizing the owner or owner's assignee to deduct amounts awarded from any future regular or special assessments payable to the association.

If the association prevails in this action, it is entitled to court costs and attorney fees.

Before an owner brings legal action for access to the association's records, the owner must send written notices of intent at least 10 business days in advance to the association. The notice must be sent via certified mail or delivered USPS with signature confirmation service to the mailing address of the association or managing agent reflected in the current management certificate and describe in sufficient detail the records requested.

Business day is considered a day other than Saturday, Sunday, or a state or federal holiday.

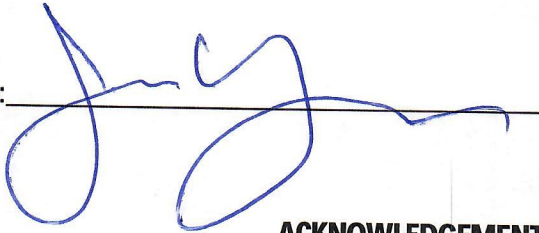
CERTIFICATION

"I, the undersigned, being a Director of the Summer Point Village Homeowners Association, Inc., hereby certify that the foregoing was adopted by at least a majority of the Summer Point Village Homeowners Association, Inc. board of directors, at an open and properly noticed meeting of the board, at which a quorum of the board was present."

Print name: James Young

Title: President

Signature: _____



ACKNOWLEDGEMENT

STATE OF TEXAS

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COUNTY OF Collin

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BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the _____ day of _____, 2021.

Notary Public, State of Texas