

**LAKES OF BELLA TERRA COMMUNITY ASSOCIATION, INC.  
RECORDS PRODUCTION POLICY**

STATE OF TEXAS                   §  
   §                   KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF FORT BEND       §

WHEREAS the LAKES OF BELLA TERRA COMMUNITY ASSOCIATION, INC. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations"), including maintaining the common areas; and

WHEREAS, Chapter 209 of the Texas Property Code was amended to require property owners' associations to adopt a records production policy and to set forth the procedures and costs associated for requesting access to the Association's books and records;

WHEREAS, the Board of Directors of the Association desires to adopt a records production policy consistent with the Texas Property Code;

NOW, THEREFORE, the Board has duly adopted the following *Records Production Policy*.

**Records Production Policy**

1. Association Records shall be reasonably available to every owner. An owner may also provide access to Records to any other person (such as an attorney, CPA or agent) they designate in writing as their proxy for this purpose. To ensure a written proxy is actually from the owner, the owner must include a copy of his/her photo ID or have the proxy notarized.
2. An owner, or their proxy as described in section 1, must submit a written request for access to or copies of Records. The letter must:
  - a. be sent by certified mail to the Association's address as reflected in its most recent Management Certificate filed in the County public records; and
  - b. contain sufficient detail to identify the specific Records being requested; and
  - c. indicate whether the owner or proxy would like to inspect the Records before possibly obtaining copies or if the specified Records should be forwarded. If forwarded, the letter must indicate the format, delivery method and address:
    - i. format. electronic files, compact disk or paper copies
    - ii. delivery method: email, certified mail or pick-up
3. Within ten (10) business days of receipt of the request specified in section 2 above, the Association shall provide:

- a. the requested Records, if copies were requested and any required advance payment had been made; or
  - b. a written notice that the Records are available and offer dates and times when the Records may be inspected by the owner or their proxy during normal business hours at the office of the Association; or
  - c. a written notice that the requested Records are available for delivery once a payment of the cost to produce the records is made and stating the cost thereof; or
  - d. a written notice that a request for delivery does not contain sufficient information to specify the Records desired, the format, the delivery method and the delivery address; or
  - e. a written notice that the requested Records cannot be produced within ten (10) business days but will be available within fifteen (15) additional business days from the date of the notice and payment of the cost to produce the records is made and stating the cost thereof.
4. The following Association Records are not available for inspection by owners or their proxies:
  - 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.
5. Association Records may be maintained in paper format or in an electronic format. If a request is made to inspect Records and certain Records are maintained in electronic format, the owner or their proxy will be given access to equipment to view the electronic records. Association shall not be required to transfer such electronic records to paper format unless the owner or their proxy agrees to pay the cost of producing such copies.
6. If an owner or their proxy inspecting Records requests copies of certain Records during the inspection, Association shall provide them promptly, if possible, but no later than ten (10) business days after the inspection or payment of costs, whichever is later.
7. The owner is responsible for all costs associated with a request under this Policy, including but not limited to copies, postage, supplies, labor, overhead and third-party fees (such as archive document retrieval fees from off-site storage locations) as listed below:
 

a. black and white 8½"x11" single sided copies	\$0.10 each
b. black and white 8½"x11" double sided copies	\$0.20 each
c. color 8½"x11" single sided copies	\$0.50 each

d. color 8½"x11" double sided copies	\$1.00 each
e. PDF images of documents	\$0.10 per page
f. compact disk	\$1.00 each
g. labor and overhead	\$18.00 per hour
h. mailing supplies	\$1.00 per mailing
i. postage	at cost
j. other supplies	at cost
k. third party fees	at cost

8. 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 subsequently declines to accept delivery will be liable for payment of all costs under this Policy.
9. 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.
10. 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 7.
11. 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.

The guidelines are effective upon recordation in the Public Records of Fort Bend County and supersede any guidelines for bid solicitation and review which may have previously been in effect. Except as affected by law and/or by these guidelines, all other provisions contained in the Declarations, or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this 27 day of April 2023.

**LAKES OF BELLA TERRA COMMUNITY  
ASSOCIATION, INC.**

Signed: Roberta Jones

Name: Roberta Jones

Position: Secretary