

**HIGHPOINTE AT RIPPON LANDING CONDOMINIUM UNIT OWNERS  
ASSOCIATION  
POLICY RESOLUTION NO. 2020- 3  
REGARDING PROCEDURES FOR ACCESS TO BOOKS AND RECORDS**

**WHEREAS**, Article 3, Section 3.1 of the Bylaws provides, in part, that the Board of Directors of Highpointe at Rippon Landing Condominium Unit Owners Association (“Association”) shall have all of the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not by the Condominium Act or the condominium instruments required to be exercised and done by the Association; and

**WHEREAS**, Article 3, Section 3.1 (6) of the Bylaws provides, that the Board of Directors of the Association shall adopt and amend any rules and regulations in accordance with Subsection 5.8(b); and,

**WHEREAS**, Virginia Condominium Act § 55.1-1945 provides what documents may be available for inspection and copying, what documents may be withheld from inspection and copying and that costs may be imposed for copying including materials and labor; and

**WHEREAS**, the Board of Directors deems it to be in the best interest of the Association to implement rules and regulations regarding the procedures for access to books and records;

**NOW THEREFORE, BE IT RESOLVED THAT** the Board of Directors unanimously voted to approve and adopt the following policy procedures for requesting access to and copying of Association records:

**I. Eligibility to Inspect Association Books and Records**

1. Subject to the provision of Virginia Code §55.1-1945 and as set forth in this Resolution, books and records kept by or on behalf of the Association shall be available for examination and copying by a unit owner in good standing.
2. In “good standing” for the purposes of this resolution is defined as any unit owner of the Association that is not delinquent more than sixty (60) days in the payment of any financial obligation due the Association, whose right to use the facilities have not been suspended, or who is not a party to any pending litigation in which the Association is an adverse party.
3. The right of examination shall exist without reference to the duration of membership.

**II. Process for Requesting to Inspect Books and Records**

1. The unit owner must give five (5) business days’ written notice to the community manager of the Association of his/her request to inspect the books and records.

2. The written notice to the community manager must reasonably identify a proper purpose for the request. The purpose must be related to his/her membership in the unit owners association. The purpose cannot be one for pecuniary gain or commercial solicitation.
3. The written notice must identify the specific books and records of the unit owners association requested.
4. The right of examination may be exercised only during reasonable business hours or at a mutually convenient time and location

### **III. Restriction on Availability of Books and Records**

Books and records may be withheld from examination or copying by Unit Owners to the extent that they are drafts not yet incorporated into the books and records of the Association or if such books and records concern:

- a. Personnel matters relating to specific, identified persons or a person's medical records;
- b. Contracts, leases, and other commercial transactions to purchase or provide goods or services, currently in or under negotiation;
- c. Pending or probable litigation;
- d. Matters involving state or local administrative or other formal proceedings before a government tribunal for enforcement of the condominium instruments or rules and regulations promulgated by the executive board;
- e. Communications with legal counsel that relate to subsections (a) through (d) of this section or that are protected by the attorney-client privilege or the attorney work product doctrine;
- f. Disclosure of information in violation of law;
- g. Meeting minutes or other confidential records of an executive session of the executive board held pursuant to subsection C of § 55.1-1949 (described in prefatory paragraph four of this Resolution);
- h. Documentation, correspondence or management or executive board reports compiled for or on behalf of the Association or the executive board by its agents or committees for consideration by the executive board in executive session; or

- i. Individual Unit Owner or member files, other than those of the requesting Unit Owner, including any individual Unit Owner's files kept by or on behalf of the Association.

**IV. Withholding and Redaction of Books and Records**

1. Books and records kept by or on behalf of the Association shall be withheld from examination and copying in their entirety only to the extent that an exclusion from disclosure under Section III applies to the entire content of such books and records.
2. If only certain portions of the books and records containing information subject to an exclusion under Section III may be withheld or redacted, then all portions of the books and records that are not so excluded shall be available for examination and copying, provided that the requesting member shall be responsible to the Association for paying or reimbursing the Association for any reasonable costs incurred by the Association in responding to the request for the books and records and review for redaction of the same.

**V. Cost of Inspecting Books and Records**

1. Prior to providing copies of any books and records to the unit owner, the Association shall impose and collect the charges stated in the cost schedule attached to this Resolution (see **Exhibit A**). These charges are calculated to cover only the reasonable costs of materials and labor incurred in providing copies of requested documents.
2. The cost schedule shall apply equally to all Unit Owners in good standing. The Unit Owner must pay the charges prior to receiving the requested documents.

**BE IT FURTHER RESOLVED THAT** any and all prior Resolutions, Rules, and/or Regulations regarding the procedures for access to books and records are null, void, and superseded by this Resolution.

**BE IT FURTHER RESOLVED THAT** a copy of this Resolution shall be sent to all Unit Owners at their last known address as reflected in the Association's books and records or to such other address as the Unit Owner designated in writing and filed with the Secretary.

**NOW THEREFORE**, the Board of Directors has voted by unanimous consent to approve and adopt this Resolution regarding the procedures for access to books and records.



This Resolution was adopted by the Board of Directors on the 23<sup>rd</sup> day of November, 2020 and shall be effective on the 23<sup>rd</sup> day of November, 2020.

**HIGHPOINTE AT RIPPON LANDING  
CONDOMINIUM UNIT OWNERS ASSOCIATION**

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Secretary

**HIGHPOINTE AT RIPPON LANDING CONDOMINIUM UNIT OWNERS  
ASSOCIATION**

**Exhibit A  
To  
Policy Resolution No. 2020- 3  
Regarding Procedures for Access to Books and Records**

**COST SCHEDULE – 2020  
FOR PROVIDING COPIES OF BOOKS AND RECORDS**

*Materials:*           \$ .25 per page

*Labor Rates:*       \$ 150 per hour Profession Time  
                              \$ 75 per hour Administrative Time

**HIGHPOINTE AT RIPPON LANDING CONDOMINIUM  
UNIT OWNERS ASSOCIATION  
REGARDING PROCEDURES FOR ACCESS TO BOOKS AND RECORDS**

**POLICY RESOLUTION NO. 2020- 3**

**RESOLUTION ACTION RECORD**

Duly adopted at a meeting of the Board of Directors held on November 2020

Motion by: Deronne Hawkins

Seconded by: Elizabeth Lockard

| VOTE:               | YES      | NO            | ABSTAIN       | ABSENT        |
|---------------------|----------|---------------|---------------|---------------|
| Director, President | <u>✓</u> | <u>      </u> | <u>      </u> | <u>      </u> |
| Director, Treasurer | <u>✓</u> | <u>      </u> | <u>      </u> | <u>      </u> |
| Director, Secretary | <u>✓</u> | <u>      </u> | <u>      </u> | <u>      </u> |
| Director, VP        | <u>✓</u> | <u>      </u> | <u>      </u> | <u>      </u> |
| Director            | <u>✓</u> | <u>      </u> | <u>      </u> | <u>      </u> |

ATTEST:

\_\_\_\_\_  
Secretary

11-23-20  
\_\_\_\_\_  
Date

Resolution Effective: November 23, 2020.

**HIGHPOINTE AT RIPPON LANDING  
HOMEOWNER'S ASSOCIATION**

Policy Resolution 2020- 1  
Policies: Deferred Assessments

**WHEREAS**, the Board has determined that there is a need to establish a comprehensive Deferred Assessment Resolution to strengthen the Association Income Tax position.

**NOW, THEREFORE**, Board of Directors do hereby establish the following Deferred Assessment Resolution.

The Association elects to apply all or part of the excess assessment income to the following year's assessments and that such amounts shall be at the Board's discretion.

Resolution Effective Date: November ~~17~~<sup>23</sup>, 2020

Attest Secretary: \_\_\_\_\_ Date: 11-23-20

On an as-necessary basis, the Management Agent is authorized and directed by the Board to prepare and implement an updated Cost Schedule to replace the existing Cost Schedule set forth below. A Cost Schedule updated by the Management Agent pursuant to this provision is effectively immediately upon being so updated.

The Cost Schedule applies equally to all Members in good standing.

The Management Agent will provide a copy of the Cost Schedule to a requesting Member at the time the request is made by the Member to inspect/copy Association books and records.

**COST SCHEDULE**

Labor for Profession Time .....\$150.00/hour

Labor for Administrative Time.....\$75.00/hour

Copying costs:       \$ .25 per page