

Rules for Inspection and Copying of Records by Association Members

Revised and Approved 02/15/12

1) According to State Statute 720.303 paragraph 5,
(5) INSPECTION AND COPYING OF RECORDS.--The official records shall be maintained within the state and must be open to inspection and available for photocopying by members or their authorized agents at reasonable times and places within 10 business days after receipt of a written request for access. This subsection may be complied with by having a copy of the official records available for inspection or copying in the community. If the association has a photocopy machine available where the records are maintained, it must provide parcel owners with copies on request during the inspection if the entire request is limited to no more than 25 pages.

(a) The failure of an association to provide access to the records within 10 business days after receipt of a written request submitted by certified mail, return receipt requested, creates a rebuttable presumption that the association willfully failed to comply with this subsection.

(b) A member who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply with this subsection. The minimum damages are to be \$50 per calendar day up to 10 days; the calculation to begin on the 11th business day after receipt of the written request.

(c) The association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections, but may not require a parcel owner to demonstrate any proper purpose for the inspection, state any reason for the inspection, or limit a parcel owner's right to inspect records to less than one 8-hour business day per month. The association may impose fees to cover the costs of providing copies of the official records, including, without limitation, the costs of copying. The association may charge up to 50 cents per page for copies made on the association's photocopier. If the association does not have a photocopy machine available where the records are kept, or if the records requested to be copied exceed 25 pages in length, the association may have copies made by an outside vendor or association management company personnel and may charge the actual cost of copying, including any reasonable costs involving personnel fees and charges at an hourly rate for vendor or employee time to cover administrative costs to the vendor or association. The association shall maintain an adequate number of copies of the

recorded governing documents, to ensure their availability to members and prospective members.

2) Consistent with the above Florida statutes, Holiday Isle Improvement Association Board of Directors has adopted the following rules for Official Records Requests. These rules supersede the previous rule book. The HIIA Board reserves the right to amend these rules as needed.

Rules for Inspection of Official Records:

1. Members desiring to inspect/copy the Association's official records shall submit a written request by US Mail, Certified Mail, Email or Fax to the Association's manager: % HIIA Office, P.O. Box 5467, Destin, FL 32540. The request must state the specific records requested, including pertinent dates or time periods. General descriptions such as "all items pertaining to..." are not sufficiently specific.
2. Inspection/photocopying of records shall be limited to those specifically requested. The requests must be of records currently on hand and not open ended for future records.
3. A member may submit up to two (2) requests for records inspection/photocopying per month per voting right. Members may inspect a maximum of twenty (20) records with no more than 100 pages at any one time/per request.
4. Inspections of records shall be conducted in the Association office. No member may remove original records from the HIIA office. No alteration of the original records shall be allowed.
5. Records for inspection, or copies, shall be made available no later than the tenth business day after the written request was received. The Association shall notify the member in writing that the records/copies are available, and establish a mutually convenient time and date for any inspection.

6. The Office will contact the member to schedule an appointment to inspect the records requested. Inspections shall be conducted by appointment only, between the hours of 9:00 a.m. and 12:00 a.m., Monday through Friday. During any 30 day period and at the office's discretion, the member cannot exceed a maximum of eight (8) man-hours cumulative for viewing and support staff (copying/retrieving records, etc.).

7. If a member desires to obtain a copy of any record, the member shall identify the record during the inspection. The Association shall not be obligated to copy portions of records. The requested copies will be made available within ten (10) business days.

8. Copies shall cost fifty (50) cents per page for letter or legal sized copies, payable in cash or check at the time the copies are requested. If the requested copies are less than 10, there will be no charge. The Association shall not be obligated to undertake the photocopying of any records until payment is received by the Association. Should a records request be made that requires copying of more than twenty-five (25) pages, the Association may elect to have the records duplicated by a professional printing company and the member will pay the actual costs, including administrative costs. Once the copies are reproduced, there will be no refunds issued even if the member refuses to take possession of the copies.

9. Members inspecting or requesting copies of records shall not interfere with the operation of the Association office. The Association office may assign one staff person to assist in or supervise the inspection at no cost but tolling with the 8 man hour maximum.

10. The Association is not obligated to grant any request for inspection/photocopying that does not comply with these Rules.

11. Nothing in these Rules shall be construed as a limitation or restriction upon any of the Association's rights or remedies.

12. If the requested material is not picked up within 30 days, the material will be destroyed or returned to the files. After the 30 days and if the member still wants these records, a new request is required.

13. Upon completing the viewing of Official Records or picking up requested copies, the member shall complete, sign, and date the Office Log sheet for these requests.

Log Sheet for Official Records Requests

Requestor: (Printed Name) _____

Date: _____

Records

Requested: _____

Copies Requested: _____ @ .50 per page

Comments:

Signature of Requestor (indicates that request has been fulfilled): _____

Time utilized by Requestor for this request:

Signature of Office Staff: _____

Time utilized fulfilling request by Staff: _____