



# Canyon Oaks Property Owners Association

## Records Policy – COPY A

### Open Records Procedures

- a) Members (or their agents designated in writing) may have access to COPOA records, but they must submit written requests to the COPOA Secretary by certified mail to the mailing address of COPOA.
- b) The request must identify the records requested and indicate whether the requesting Member wants to inspect the records or have COPOA forward copies.
- c) COPOA has ten (10) business days from receipt of the request to, as appropriate, to:
  - 1) Provide written notice of dates on which records may be inspected, or
  - 2) Provide the requested copies, or
  - 3) Provide the Member written notice that it is unable to produce the records within the 10-day period and provide a date, within an additional fifteen (15) business days, by which the records will be sent or made available to the Member for inspection.
- d) General exceptions are made for attorney's files.
- e) Inspection must take place at mutually agreed time during normal business hours.
- f) Records can be produced in hard copy, electronic, or other format reasonably available.
- g) Production and copy costs may be charged the Member, but the costs may not exceed Texas Administrative Code's charges for providing public information.
- h) Production and copy fees:
  - a. No charge if electronically available in the COPOA records and delivered electronically (e-mail);
  - b. \$5.00 minimum if print media required;
  - c. Final costs determined by extent of request and availability of records.
- i) Estimates of production and copy costs may be charged the requesting Member by COPOA in advance.
  - 1) If the estimated costs are lesser or greater than the actual costs, COPOA must submit a final invoice to the Member before the 30<sup>th</sup> business day after the information is delivered.
  - 2) If the final invoice includes additional amounts due, but not reimbursed to COPOA before 30 business days after the invoice is sent to the Member, the amounts may be added to the Member's account as an assessment.
  - 3) If the estimated costs exceed the final invoice amount, the Member is entitled to a refund that shall be issued by COPOA not later than the 30<sup>th</sup> business day after the day the invoice is sent to the Member.
- j) COPOA shall keep certain records confidential and decline to make them available (violation histories of Members, Member's personal financial information, Member's contact information, COPOA personnel files, attorney's records, etc.).
- k) Members denied access to records are given JP court remedies, after certified demand; prevailing party is entitled to attorney's fees.

### Records Retention Policy

#### Records categories and retention periods:

- a) Financial records - seven (7) years;
- b) Account records of current owners - five (5) years;
- c) Contracts for terms of at least one year or more – four (4) years after expiration of contract
- d) Minutes of Member meetings and Board meetings – seven (7) years
- e) Tax returns and audits – seven (7) years
- f) Governing documents - permanently

Recording Requirement

COPOA must record in the county real property records (Uvalde County) all "dedicatory instruments" (governing documents, policies, articles, rules, etc.), or they are not enforceable.

Effective Date

The foregoing records policy has been adopted by the Canyon Oaks Property Owners Association Board of Directors to be effective on January 1, 2012.

Policy Management

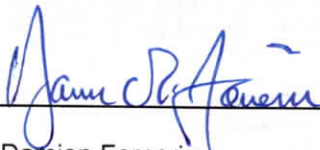
The COPOA Board may at any time revise the foregoing records policy as required by revisions to Texas law, or other circumstances warranting amendment.

Open Records Policy

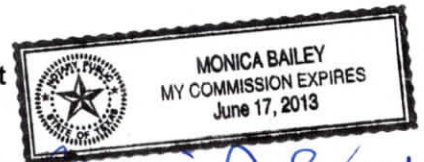
This Records Policy shall be effective upon the recording of the same in the Official Public Records of Real Property of Uvalde County, Texas.

**Signatures and Attestation**

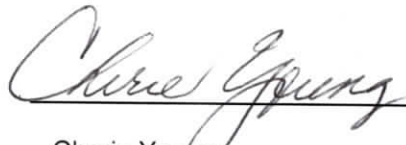
Adopted by the Board of Directors on the 1<sup>st</sup> day of January 2012.

  
\_\_\_\_\_  
Damien Forneris

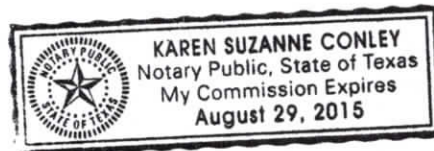
President



*Monica Bailey* 12/20/12

  
\_\_\_\_\_  
Cherie Young

Secretary



*Karen S. Conley* 12/6/12

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*RAMONA ESQUIVEL HOBBS*

Ramona Esquivel Hobbs, County Clerk  
Uvalde County TEXAS

December 28, 2012 01:24:51 PM

FEE: \$20.00

2012004445

I, Ramona Esquivel Hobbs, County Clerk, do hereby certify that the foregoing instrument was FILED FOR RECORD on the date and time stamped hereon and was duly recorded in the Official Public Records of Uvalde County, Texas.



Ramona Esquivel Hobbs, County Clerk  
Uvalde County, Texas

By: *Maia Aune* Deputy

