

SIERRA POINTE HOMEOWNERS ASSOCIATION, INC.
RESOLUTION OF THE BOARD ADOPTING HOA RECORDS POLICY

**SUBJECT
AND**

PURPOSES: By this resolution, the Association adopts a new HOA records policy, to comply with Colorado law and to amend, restate and revise the prior policy.

AUTHORITY: The Amended and Restated Condominium Declaration, Articles of Incorporation, and Bylaws of the Association and Colorado law.

EFFECTIVE

DATE: MARCH 1, 2025.

RESOLUTION: The Association adopts the HOA records policy as attached. The attached policy replaces the applicable existing policy, as of the effective date.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Association, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on JANUARY 27, 2025.

By: Holly Schwanz
President

EXHIBIT G
RECORDS

POLICY ON THE INSPECTION AND COPYING OF ASSOCIATION RECORDS

Owner Access to Records.

- The records set forth in this policy and in state statutes, as amended from time to time, are to be made reasonably available for inspection and copying by a Member or the Member's authorized agent.
- "Reasonably available" means available during normal business hours after written request of at least 10 days or at the next regularly scheduled meeting if such meeting occurs within 30 days after the request.
- The written request is to describe the records sought with reasonable particularity.
- The Board may require that requests be submitted on the form attached to this policy.
- Upon receipt of a request, the Association is to make an appointment with the Owner, at a time convenient to both parties (subject to the requirements above), to conduct the inspection.
- Unless otherwise agreed, all records are to be inspected at the management company's office.
- All appointments for inspection will be limited to business hours.
- At the discretion of the Board of Directors or Association manager, records will be inspected only in the presence of a Board member, management company employee or other person designated by the Board.
- During inspection, an Owner may designate pages to be copied with a paperclip, post-it note, or other means provided by the Association.
- Copies will be made at a cost based on the standard schedule of fees charged by the Association's management agent, which charges may include reasonable retrieval costs for off-site files.
- The Owner is responsible for paying the total copying cost prior to receiving the copies.
- Records may not be removed from the office in which they are inspected without the express written consent of the Board

Records to be Maintained by the Association. In addition to any records specifically required by the Association's declaration or bylaws, the Association is to maintain the following records:

- detailed records of receipts and expenditures affecting the operation and administration of the Association
- records of claims for construction defects and amounts received pursuant to settlement of those claims
- minutes of Membership meetings, minutes of Board meetings, a record of all actions taken by the Members or Board without a meeting (i.e., by written ballot or written consent in lieu of a meeting), and a record of all actions taken by a committee of the Board
- written communications among, and the votes cast by, Board members that are directly related to an action taken by the Board without a meeting pursuant to the Association's Bylaws or Colorado law
- the names of Members in a form that permits preparation of a list of names and physical mailing addresses of all Members, showing the number of votes each Member is entitled to vote ("Membership list")
- the current articles of incorporation, declaration, covenants, bylaws, rules and regulations, responsible governance policies required pursuant to Colorado law, and any other policies adopted by the Board
- annual financial statements for the past three years
- financial statements, to the extent available, showing, in reasonable detail, the Association's assets and liabilities and results of its operations for the past three years
- tax returns for the past seven years, to the extent available
- a list of the names, electronic mail addresses and physical mailing addresses of its current directors and officers
- its most recent annual report delivered to the Secretary of State

- financial records sufficiently detailed to enable the Association to provide statements of unpaid assessments in accordance with the Colorado Common Interest Ownership Act
- the Association's most recent reserve study if any
- current written contracts to which the Association is a party
- written contracts for work performed for the Association within the immediately preceding 2 years
- records of Board or committee actions to approve or deny design or architectural approval from Members
- ballots, proxies, and other records related to voting by Members for one year after the election, action, or vote to which they relate
- resolutions adopted by the Board relating to the characteristics, qualifications, rights, limitations, and obligations of Members or any class of Members
- written communications within the past three years to Members generally as Members
- a list of the current amounts of all unique and extraordinary fees, assessments, and expenses that are chargeable by the Association (including those of the management company) in connection with the purchase or sale of a unit and are not paid for through assessments, including transfer fees, record change fees, and the charge for a status letter or statement of assessment due
- the following additional information as required by C.R.S. 38-33.3-209.4 as part of the Association's annual disclosures:
 - the name of the Association's designated agent or management company
 - the valid physical address and telephone number for both the Association and manager or management company
 - the common interest community's name
 - the recording date of the Declaration
 - the Declaration's reception number or book and page (recording information)
 - the date on which the fiscal year commences
 - the operating budget for the current fiscal year
 - a list, by type, of the Association's current assessments (regular and special)
 - the annual financial statements, including any amounts held in reserve, for the fiscal year immediately preceding the current annual disclosure
 - the results of the most recent available financial audit or review if any
 - a list of all Association insurance policies, including company names, policy limits, policy deductibles, additional named insureds, and expiration dates. The policies themselves will also be kept and made available.

The above records are the sole records of the Association available for inspection.

If the Association stores other types of documentation, or stores documentation for a longer time period than may be required above, such documents are not considered records of the Association available for inspection and copying.

Creation of Records. Nothing contained in these policies may be construed to require the Association to create records that do not exist or compile records in a particular format or order.

HOA Records that may be Withheld from Inspection or Copying. Pursuant to Colorado law, the following records may be withheld from inspection and copying to the extent that such records are or concern:

- architectural drawings, plans, and designs, unless the legal owner of such drawings, plans, or designs provides written consent to the release
- contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are still in or under negotiation

- communication with legal counsel protected by the attorney-client privilege or the attorney work product doctrine
- disclosure of information in violation of law
- records of an executive session of the Board
- records related to an individual owner other than the Members.

HOA Records that are not Available for Inspection or Copying. Pursuant to Colorado law, the following records are not subject to review, inspection and/or copying and will be withheld from any inspection:

- personnel, salary, or medical records related to specific individuals; and
- personal identification and account information of Members, including:
 - bank account information
 - telephone numbers
 - electronic mail addresses
 - driver's license numbers
 - social security numbers
 - vehicle identification information

Notwithstanding the limitations above, an Owner or resident may provide the Association with prior written consent to the disclosure of, and the Association may publish to other Owners and residents, the person's telephone number, electronic mail address, or both, as part of an Owner directory.

Remedies. The Association may pursue any Owner for damages or injunctive relief or both. Including reasonable attorney fees, for abuse of inspection and copying rights, including use of any records for a commercial purpose.

**REQUEST FOR ACCESS TO RECORDS OF
SIERRA POINTE HOMEOWNERS ASSOCIATION, INC.**

Member Name: _____ Date: _____

Address: _____

Telephone No.: _____

I request that Sierra Pointe Homeowners Association, Inc. provide access to the records of the Association.

I understand that upon receipt of this request, the Association will set an appointment with me during regular business hours.

The records that I wish to review are (attach a separate piece of paper if necessary):

I acknowledge and accept the Association's records inspection policy.

I acknowledge and accept that the records of the Association will be made available to me only at such time and place as the Association's policy provides, and that there may be a cost associated with providing copies of these documents for me.

I agree to pay any costs associated with copying these documents.

In the event the records provided to me by the Association are used for any commercial purposes, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees, and I will be subject to all enforcement procedures available to the Association through its governing documents and/or Colorado law.

Member Signature: _____ Date: _____

**AGREEMENT REGARDING USE OF THE MEMBERSHIP LIST FOR
SIERRA POINTE HOMEOWNERS ASSOCIATION, INC.**

Member Name: _____ Date: _____

Address: _____

Telephone No.: _____

I have requested a copy of the Membership list for Sierra Pointe.

The list is to be used only for the following purpose(s):

I understand that under the terms of Colorado law, the Membership or voting list may not be obtained or used for any purpose unrelated to my interests as a Member of the Association.

I further understand and agree that without limiting the generality of the foregoing, the Membership list, or any part, may not be:

- Used to solicit money or property unless such money or property will be used solely to solicit votes of the Members in an election held by the Association;
- Used for any commercial purpose;
- Sold to or purchased by any person; or
- Used for any other purpose prohibited by law.

In the event the list is used for any improper purpose, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees, and I will be subject to all enforcement procedures available to the Association through its governing documents and/or Colorado law.

Understood and agreed to this _____ day of _____, 20__ by:

Member Signature: _____ Date: _____