

Muirfield Association, Inc.

Records Request Policy

Records available for inspection:

Pursuant to Ohio Revised Code Section 5312.07, and unless otherwise prohibited by law or this policy, any owner may examine and copy the books, records, and financials, of the Association (the "Records"), pursuant to the requirements, charges, and standards set forth by this policy.

An owner may not examine or copy any of the following Records:

- Information that pertains to personnel matters, including but not limited to salary/benefits information, performance reviews, applications, disciplinary action, and;
- Communications with legal counsel or attorney work product pertaining to potential, threatened, or pending litigation or other property-related matters;
- Information that pertains to contracts or transactions currently under negotiation or information that is contained in a contract or other agreement containing confidentiality requirements and that is subject to those requirements;
- Information that relates to the enforcement of the Warranty Deed, Bylaws, or Design Guidelines, or Muirfield Rules against other owners;
- Executive session minutes
- Information, the disclosure of which is prohibited by state or federal law.

ALL REQUESTS FOR RECORDS MUST BE IN WRITING. An owner who wants to inspect or copy the Association's Records must submit a written request to the Association's office. The request must specify the particular Record(s) desired, including pertinent time periods, and shall state whether the request is for inspection or copying. The request must be sufficiently detailed to allow the Association to retrieve the Record(s) requested.

ONLY OWNERS OR AUTHORIZED REPRESENTATIVE MAY INSPECT. Every owner shall have the right to inspect or copy the Association's Records in compliance with the rules and procedures contained in this policy. An owner may authorize, in writing, an attorney or other designated representative to conduct this inspection or request copies on the owner's behalf

RULES OF CONDUCT AND PROCEDURE GOVERNING REQUEST TO INSPECT/COPY

- All inspections shall take place at the Association's office or at such other location as the Association's general manager designates. No owner shall remove original Records from the location where the inspection is taking place.
- The Association shall make Records available for inspection within a reasonable time, but no more than four weeks, after the Association actually receives the written inspection request. This time frame may be extended if the Records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable. The Association will notify the owner (by telephone, in person, by email, or in writing) that the Records are available, and specify the time, date, and place for the inspection.
- No owner shall alter Association Records in any manner.

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- All people inspecting or requesting copies of Records shall conduct themselves in a businesslike manner and shall not interfere with the operations of the Association's office or such other location where the inspection or copying is taking place. The general manager will assign one staff person to assist in the inspection. All requests for further assistance and copying during an inspection shall be directed only to that one staff person. During an inspection, the owner may designate for copying Records by use of a tab, clip, or Post-It note upon the page(s) desired. Owners shall not exercise their inspection or copying rights to harass any other owner or resident, board member, general manager, officer, director, or employee.

CHARGES FOR COPIES/INSPECTION

Upon written request, owners will be provided approved meeting minutes at no charge. Other than the meeting minutes or other Records the general manager or the Board make available at no charge, the Association's general manager may charge the requesting owner a reasonable per page fee for copying Records. In addition, the general manager may charge the requesting owner a minimum clerical fee for the copying or sending of Records.

To preserve the sanctity of the Records, a physical records inspection requires the presence of a staff member. For inspections that last greater than one hour, the general manager may charge the requesting owner an hourly rate, not to exceed \$75.00 per hour, to be billed in quarter hour increments for staff attendance at the Records inspection.

The owner must pay the costs of copying and/or inspection at the time of billing for copies or actual inspection. However, the general manager may, in his sole discretion, require advance payment.

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Request to Inspect Records

Instructions: This request form must be completed by any owner desiring to inspect or receive copies of any Association books of account, meeting minutes, or other Association documents (the "Records"). No more than four weeks is needed to process a request. If there is a question with any request, the owner will be notified within a reasonable amount of time of the reason for any delay. The Association will notify the owner (by telephone, in person, by email, or in writing) that the Records are available and specify the time, date, and place for the inspection.

The Association requires that the owner provide the reason for each Record requested and the intended purpose of the request to protect the Association and personal confidences where necessary. The Association's goal and intent is to allow inspection of most Association documents. Given the personal and legal nature, however, of some documents, the Association must place reasonable restrictions on the inspection process. This includes a requirement that any inspection take place in the presence of a staff person assigned by the Association.

Inspections of the Association's Records shall take place during the time specified by the Association at the Association's office or at such other location as the Association's general manager designates. Copying charges are 50¢ per page and a minimum clerical fee of \$20 for the copying of pages. To preserve the sanctity of the Records, a physical Records inspection requires the presence of a staff member. If the Records inspection exceeds one hour, you, the owner, agree to pay \$75.00 per hour in quarter hour increments for staff attendance at the Records inspection. All inspection, copying, and mailing charges will be assessed to the owner's account and/or paid in advance, as the Board or general manager will determine.

This form must be completed in full, signed, and dated in order to process the request.

Owner's Name: _____ **Phone Number(s):** _____

Address: _____

| Record Requested | Reason and Purpose of Request |
|-------------------------|--------------------------------------|
| 1. _____ | _____ |
| _____ | _____ |
| 2. _____ | _____ |
| _____ | _____ |
| 3. _____ | _____ |
| _____ | _____ |

