

## HARBOR ISLAND OWNERS ASSOCIATION RECORDS INSPECTION POLICY

### Records Defined

The records available for inspection and copying are those designated by Title 33, Chapter 16, Article I, of the South Carolina Code of Laws, as amended from time to time.

The Association's Board may withhold from inspection any records that in its reasonable business judgment would:

- a. Constitute an unwarranted invasion of privacy;
- b. Constitute privileged information under the attorney-client privilege;
- c. Involve pending or anticipated litigation or contract negotiations; and/or
- d. Involve the employment, promotion, discipline, or dismissal of a specific board member or employee

Financial records that may be inspected or copied will be profit and loss reports; balance sheets; budgets, and completed audits. Payroll will only be shown in aggregate. If financial records are requested that are not among those detailed above, the request will be referred to the Board of Directors for a decision, which shall be tendered in a reasonable amount of time.

### Persons Entitled to Inspect or Obtain Copies

Every member shall have the right to inspect or obtain copies of certain Association records in compliance with the rules and procedures contained in this policy. A member may authorize, in writing, an attorney or other designated representative to conduct the inspection or request copies on the member's behalf. Any such authorized representative shall be considered a "member" for purposes of this policy.

### Written Request Required

Inspection or copying shall be limited to those records specifically requested in advance, in writing. A member who wants to inspect or obtain copies of the Association's records shall submit a written request to the Association's manager. The request must specify the particular record desired, including the pertinent dates or time periods, and shall state whether the request is for inspection only or for copies. The request must be sufficiently detailed to allow the Association to retrieve the record(s) requested.

No member may submit more than one request for inspection and/or copies in a 30-day period.

### Inspection Rules

No member may request to inspect more than 20 records at any one time, nor shall the Association be required to produce more than 200 pages of records at any one time. If the member's request exceeds either of these limitations, the Association shall provide records for inspection in the order requested by the member up to the limiting factor.

The member shall then make written request(s) for additional sessions until the member has inspected all the records originally requested. Requests for additional sessions are subject to all the same rules and restrictions as any other inspection request.

All inspections shall take place at the Association's office or at such other location as the Association designates. No members shall remove original records from the location where the inspection is taking place.

Members shall not alter the records in any way.

The Association shall make records available for inspection on or before the fifth working day after the Association actually receives the written inspection request. This time frame may be extended upon the member's written request, or if the records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable. The Association shall notify the member (by telephone, in person, or in writing) that the records are available, and specify the time, date, and place for the inspection.

Inspections shall be by appointment only, during the normal business hours of the Association's office.

### Copying Rules

If a member wants copies of records, the member shall designate in writing the records desired. Any written request shall designate the specific record or portion thereof.

During an inspection, the member may designate such record by use of tab, clip, or Post-It note upon the page(s) desired.

Copies shall be available within five working days of receipt of the request, unless the voluminous nature or the condition of the records makes this time frame impractical. In such cases, the copies will be made available as soon as is practical. If copies are to be mailed, they shall be mailed by or on the fifth working day from receipt of the request.

A member shall pay 25 cents per page for regular- or legal-sized photocopies. Reasonable costs for labor and actual costs for postage may be charged. These charges must be paid in cash or by personal check, at the time the copies are delivered. However, the manager may require advance payment in his or her discretion, taking into account such factors as the amount of the copying charge, the member's payment record, and other relevant factors, such as mailing the copies.

### Manner of Inspection or Copying

Members shall not exercise their inspection or copy request rights in order to harass any other member or resident, Association agent, officer, director, or employee.

All people inspecting or requesting copies of records shall conduct themselves in a business-like manner and shall not interfere with the operation of the Association office or such other location where the inspection or copying is taking place. The Association office, or place of inspection or copying, shall 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 staff person.

### *Page 3 records inspection policy*

The Association shall maintain a log detailing:

- a. The date the written request was received;
  - b. The name of the requesting party;
  - c. A list of the requested records;
  - d. The date the Association notified the member that the records were available;
  - e. The date the records were made available;
  - f. The date of actual inspection or copying; and
  - g. The signature of the member acknowledging receipt of copies, or inspection of the records.
- Every person inspecting or receiving copies of records shall sign said log or a comparable receipt prior to inspection or receipt of copies. If records are mailed, there will be no such signature.

### Enforcement of Inspection and Copying Rules

Any violation of these rules shall cause the immediate suspension of the inspection or copying until the violator agrees in writing to comply herewith.

The Association will not honor any requests for inspection or copying that do not comply with this policy. Within five working days of receiving the non-compliant request, the Association shall send a written notice to the person who made the request indicating the nature of any non-compliance. Any Association representative who receives an oral request for inspection or copying shall refer the person making the request to this policy, and the Association will have no further obligation to respond until it receives a written request.

The Association's Board may take any available legal action to enforce these rules, including levy of a fine.

This policy was adopted by the Harbor Island Owners Association Board of Directors on November 28, 2005.