

VENTNOR “H” CONDOMINIUM ASSOCIATION, INC.

**RULES AND REGULATIONS REGARDING INSPECTION
AND COPYING OF ASSOCIATION OFFICIAL RECORDS**

1. RECORDS DEFINED

The Official Records available for inspection and copying are those designated by Section 718.111(12), Florida Statutes, as it may be amended from time to time (the “Act”), and otherwise not excluded by law, rule or court decision.

2. PERSONS ENTITLED TO INSPECT OR COPY

Every owner or the owner’s authorized representative, as designated by the owner in writing, shall have the right to inspect and/or copy non-confidential and non-privileged Official Records of the Association pursuant to the following rules. Any designation by an owner of an authorized representative for record inspection purposes shall only be valid for a period of ninety (90) days, or until the owner personally submits any record inspection request, whichever shall first occur.

3. INSPECTION AND COPYING

a. An owner, or an owner’s authorized representative, desiring to inspect the Official Records shall submit a written request to the Association via **certified mail**, with return receipt. A request received via electronic transmission (e.g., e-mail, text message) is not an acceptable method to request an inspection of the Official Records and shall not require a response from the Association. The request should include the date and times when requesting party is available to review the requested materials during reasonable business hours or at such time as the Board may deem reasonable. The Association will make a good faith effort to accommodate such request, but cannot guarantee that the time and/or date requested will be available. To the extent the owner desires to inspect Official Records spanning a specified period of time within the time period the Association is obligated to maintain such records pursuant to the Act, the owner should specify the pertinent dates or time periods the owner wishes to inspect.

b. No owner or authorized representative shall submit more than one (1) written request for inspection or copying in a thirty (30) day period. Requests exceeding this limit are not valid requests for inspection of the Official Records, and do not require a response from the Association. Further, an owner or authorized representative may not request to inspect the same Official Record more than once in a six (6) month period, if there has been

no change to the Official Records.

c. All inspection of records shall be conducted at the Association's office or at such other location within the State as designated by the Association. No owner or authorized representative shall remove original records from the location of inspection. No alteration of the original records shall be allowed. No owner may insert any documentation into the Official Records during such record inspection.

d. Records shall be made available by the Association for inspection within the time frame as required by Florida Statutes. This time frame may be extended by written request of the owner or authorized representative. In addition, this time frame shall be extended in the event records are so voluminous, in the hands of the Association's accountant for preparation of the periodic financial report or otherwise in such condition as to render this time frame unreasonable. Inspection shall be made during normal business hours of a working day. For the purposes herein, the terms "working day" shall mean Monday through Friday, exclusive of federal, state and local holidays in which the office of the Association is closed. For purposes herein "normal business hours" shall be the hours that the Association and/or management office, or the location where the records are inspected, is customarily opened. The records inspection may take place during the hours of 9:00 a.m. and 5:00 p.m., Monday - Friday. The time for any record inspection shall not exceed four (4) hours in duration. If the owner or their authorized representative does not complete the inspection of the records within this four (4) hour time frame ("Initial Session"), the owner/authorized representative will be allowed an additional inspection of up to four (4) hours. The owner/authorized representative must inform the supervisor and the Property Manager, if the Property Manager is not the supervisor, of the inspection that he or she needs the additional time to continue the inspection at the conclusion of the Initial Session, but will not be required to submit an additional records request to the Association. The owner/authorized representative, supervisor and Property Manager shall agree on a mutually convenient date and time to continue the inspection of the records. If the owner/authorized representative fails to inform the supervisor of the inspection and Property Manager of the need for additional time for the inspection prior to departing the location at which the inspection occurred, the Association is justified in presuming that the owner completed their inspection and the Association will be deemed to have fulfilled its statutory obligations to the owner relative to the record's inspection request.

e. If an owner or authorized representative desires to obtain a copy of any record, the owner or authorized representative shall designate in writing

which record is desired or in the alternative shall designate such record by use of a tab or clip upon the pages desired. No mark whatsoever shall be made on any record, nor shall any pages affixed by staple, paperclip or other means be disassembled. In the interest of maintaining accurate and organized Official Records of the Association, such records shall not be removed from their original locations or disarranged in any way. Any attempted or actual alteration or destruction of Records by the owner or their authorized representative will subject such person to legal action.

If the location of inspection has a functioning copy machine, then copies of the record shall be available immediately after confirmation of clearance of the funds through the bank collection process. If the location of inspection has no copy machine, then copies shall be made available upon return of the records from a copying service. In the event the above-referenced time frame is impracticable due to the voluminous nature or condition of the records, then copies will be made available as soon as is practical. The Records may also be made available electronically via the Internet or by allowing the Records to be viewed in an electronic format on a computer screen and printed upon request.

- f. An owner or authorized representative shall pay the reasonable expense of copying in the amount of \$.25 per page as permitted by Section 718.111(12)(c)(1), Florida Statutes. Payment in advance of copying shall be required. Alternatively, the owner or authorized representative may bring their own device for copying (phone, tablet, etc.) at no charge.
- g. "Copy" shall mean a copy of a record reproducible in its entirety on one side of either a single 8 ½ x 11 or a single 8 ½ x 14 sheet. The Association shall not be required to reproduce and make copies available of documents with a sheet size greater than 8 ½ x 14.

4. **MANNER OF INSPECTION**

- a. All persons inspecting or requesting copies of records shall conduct themselves in a quiet, respectful, businesslike manner. Association representatives shall not respond to substantive inquiries during record inspections. Any abusive or threatening language or behavior against Board representatives, Association employees or other persons present shall not be tolerated and will constitute sufficient grounds for immediate termination of the inspection.
- b. Confidential and privileged records of the Association are exempted by

Section 718.111(12)(c)(3), Florida Statutes from inspection by the owner or authorized representative, and shall not be made available for inspection. Any attempt to copy or review confidential or privileged information that may be inadvertently provided, after one warning, shall, likewise, be grounds for immediate termination of the inspection.

- c. No inspection request is continuing in nature. Incomplete records, or records in the process of being created, are likewise exempt from inspection. Upon completion of preparation of such records, same may be inspected upon submission of a proper request to do so.
- e. All persons inspecting or requesting copies of records shall not interfere with the operation of the Association office or office where the records are otherwise inspected or copied.
- f. The Association office, or office of inspection, may assign at least one person to monitor the inspection. If so assigned, all communications during inspection shall be directed to that assigned person.
- g. The Association is not required to organize or assemble records in any particular manner for an inspection, except for the convenience of the Association.

5. **ENFORCEMENT OF INSPECTION AND COPYING RULES**

- a. Any violation of these rules shall cause the immediate suspension of the inspection or copying until such time as the violator agrees in writing to comply herewith.
- b. Any requests for inspection and copying not complying with these rules shall not be honored. However, the Association shall indicate to the requesting party the nature of the non-compliance. Verbal requests for inspection or copying will neither be honored nor acknowledged.
- c. The Board of Directors may take any available legal action to enforce these rules, as it determines in its sole discretion, from time to time.