

DOCUMENT PRODUCTION AND COPYING POLICY

Barwood Homes Association, Inc. (“Association”) has adopted this Document Production and Copying Policy (“Policy”) to provide and describe guidelines regarding the request, inspection, production and copying of Association books and records. The purposes of the Policy are to provide guidance to homeowners and the Board of Directors as to the process, costs, and requirements for requesting, inspecting, producing and copying Association books and records and to comply with legislative requirements.

The Association shall make all books and records, including financial records, open and reasonably available for examination by a homeowner, or a person designated in writing signed by the homeowner as the homeowner’s agent, attorney, or certified public accountant (collectively “Agent”), except as otherwise provided by this Policy or legislative restrictions. This Policy does not specify which documents may or may not be available for production, but only describes the method by which to obtain documentation that may be released to a homeowner or Agent.

Requesting Documents

A homeowner or Agent must submit a written request by certified mail describing with sufficient detail the requested books and records to the mailing address of the Association or authorized representative as reflected on the most current management certificate. The written request must specify whether the homeowner or Agent elects to inspect the books and records before obtaining copies or to have the Association forward copies of the requested materials.

Requesting an Inspection

If an inspection is requested, the Association shall send written notice of dates during normal business hours that the homeowner or Agent may inspect the requested books and records on or before the 10th business day after the date the Association receives the request, except as otherwise provided by this Policy and to the extent those book and records are in the possession, custody, or control of the Association.

Inspections shall take place at a mutually agreed upon time during normal business hours, and, if copies are requested, the homeowner or Agent shall identify which books and records for the Association to copy and forward to the homeowner or Agent.

Requesting Copies

If copies of specified books and records are requested, the Association shall produce the requested books and records for the homeowner or Agent on or before the 10th business day after the date the Association receives the written request, except as otherwise provided by this Policy and to the extent those books and records are in the possession, custody, or control of the Association.

Unavailable Books and Records

If unable to produce the specified information on or before the 10th business day after receiving the request, the Association shall provide written notice to inform the requesting party that the Association is unable to produce the information by that day and state a date by which the information will be sent or made available for inspection no later than 15 business days following the date of notice.

Costs and Advanced Payment of Compilation, Production, and Reproduction Costs

Costs associated with compilation, production, and reproduction will be estimated by the Association based on charges applicable for an item or service under 1 T.A.C. Section 70.3 and amendments thereof. The homeowner shall submit advance payment of the estimated costs prior to compilation, production and reproduction of any requested materials. If the actual cost is lower or greater than the estimated cost, the Association shall send a final invoice to the homeowner on or before the 30th business day after the date the information is delivered. If the actual cost exceeds the estimated cost, the additional amounts may be added to the homeowner's account as an assessment if not paid before the 30th business day after the date the invoice is sent. If the estimated cost exceeds the actual cost, the Association shall reimburse the requesting party no later than the 30th business day after the date the invoice is sent to the homeowner.

No policy can apply to every circumstance, and no policy can anticipate every circumstance. Accordingly, to the extent allowed by law, the foregoing Policy is subject to change, and may be changed, set aside, contradicted or not followed, in appropriate circumstances as the Board of Directors deems reasonable and appropriate after due consideration. The Policy does not create any rights in or to any person, and does not create any obligations of any person. This Policy is intended to be for purposes of guidance and to create a general operating procedure for the Board of Directors, management company and Association attorney to follow. A failure to follow this policy shall not create a right in or to any person nor is any deviation or failure to follow actionable in any way or create a defense to any obligation of a homeowner to satisfy his/her financial obligations to the Association. Any failure or decision not to enforce any of the foregoing on any given matter or in any given situation shall not constitute a waiver of any right to enforce the foregoing in any other matter or in any other situation, whether against the same owner or any other owner. The Board of Directors shall have the right to waive compliance with this policy as it deems appropriate.

President Certificate

I hereby certify that the foregoing Document Production and Copying Policy was adopted by the Board of Directors of Barwood Homes Association, Inc. at a meeting thereof duly called and held on _____, 2011.

President