

Access to Official Records Policy

Section 720.305(5), Florida Statutes, requires the Association's official records to be maintained within the state of Florida, and that they must be made available for photocopying by members or their authorized agents at reasonable time and places within ten business days after receipt of a written request for access. The statute allows permits the Board to adopt reasonable rules regarding the frequency, time, location, notice records to be inspected, and manner or records access, inspections and copying. The following rules and regulations shall be used as a guideline for membership access for records in accordance with Florida law.

1. A member's access to official Association records shall be limited to one (1) eight hour business day per month or alternatively, two (2) access periods within a thirty day period of no more than four (4) hours each, for a total of eight (8) hours in a thirty day period. All appointments for access shall be made during regular business hours on regular business days at the office of the Association's management company described below in Section 3, or at an alternate location of so agreed and designated by the Board or the property manager. Nothing herein, however, shall prevent the parties from arranging an alternative access schedule if such alternative schedule is reasonable and mutually agreed upon by the parties.
2. Records protected by attorney/client or attorney work-product privilege, information obtained by the Association in connection with the approval of a sale, lease, or transfer of a lot or unit; disciplinary, health, insurance, and personnel records of the Association's employees; medical records of members or residents; social security numbers, driver's license numbers, emergency contact information, credit card numbers, email addresses, telephone numbers, facsimile numbers, or any address for a parcel owner other than as provided for Association notice requirements shall not be available for inspection unless the relevant owner has consented in writing to disclosure of certain information that would otherwise not be available for inspection. Electronic security measures and passwords, or the software and operating system used by the association shall not be accessible.
3. To ensure a timely response to members' requests for access to records, the Board has designated the Association's management company as the designated recipient of such requests. Members wishing to gain access to Association records must provide a written request to the Board via the Management Company at the following address, via hand delivery, facsimile, Federal Express, UPS, or similar courier service, or U.S. Mail. It is recommended that written request be delivered in a manner that the owner can confirm delivery, such as via courier or U.S. Mail, return receipt request.

San Simeon Phase 1 Residents'
c/o Sunvast Properties, Inc.
321 Interstate Blvd
Sarasota, FL, 34240
Tel: 941-378-0260

4. Occasionally, computer and e-mail access is limited or hindered due to circumstances beyond the Association's control, and delivery and receipt of e-mails may be delayed due to internet access problems or internet traffic problems. Thus, in order to ensure compliance with timely

access to record, e-mail notice shall not be relied upon by the member as sufficient for purposes of providing written notice of a request for access to records as required by the statute.

5. Once notified in writing, the parties shall arrange a mutually agreeable method of arranging access so that access may be offered within ten (10) business days after receipt of the written request. Access may be provided by the scheduling of an appointment to view the records at the management company's office or as otherwise designated by the Board or property manager, at the Board's or the property manager's discretion.
6. The member and the Board/property manager shall estimate how much time will be needed to accommodate the request, and accordingly schedule a reasonable amount of time for the appointment. In the event that the request for access exceeds the time limitation described above, or the amount of time estimated for the length of the appointment actually proves to be insufficient for adequate access. The Board may require that the access be continued at another mutually agreeable time or at a later date.
7. Once the association provides access to a particular record and the record has been inspected by the member or a copy has been obtained by the member, if the record has not changed, it is not subject to further requests for inspection by the member or his or her designated agent for a period of six (6) months, and the Association may deny access to previously inspected and /or copied records within such time frame.
8. In the event that the member desires copies of specific, identifiable records, the member shall identify such records at the time of access so that the Board or property manager can make arrangements to provide such copies. The association or its management company may make such copies at the time of access, and shall have the authority to charge \$0.50 per page. If the Association has a photocopy machine available where the records are maintained, it must provide the copies on request during the inspection of the request is limited to no more than twenty-five (25) pages. If it exceeds that number, the Association may provide the records at a later time, and may have the copies made by an outside vendor or its management company personnel, and may charge the actual cost of copying, including any reasonable cost involving personnel fees and charges at an hourly rate for vendor or management company personnel time to cover administrative costs. The Association shall have the authority to require that the member pay in advance for all such cost before receiving copies of the requested documents.
9. Nothing herein shall be interpreted to require the Association to mail copies of records or arrange for their deliver by other means. However, the Association may , if requested by the member, mail the copies and charge the member the actual cost of mailing or other records or documents in response to a request for access to the Association's records.

Adopted by the Board of Directors of the San Simeon Phase 1 Residents' Association, Inc., at a duly noticed board meeting held on __November 26, __, 2012__