

MONTSERRAT HOMEOWNERS ASSOCIATION, INC.

RECORDS PRODUCTION POLICY

This Records Production Policy was approved by the Board of Directors for Montserrat Homeowners Association, Inc. on the 14th day of November, 2013.

- I. Copies of Association records will be available to all Owners upon proper request and at their own expense. A proper request:**
 - a. is sent certified mail to the Association's address as reflected in its most recent management certificate;
 - b. is from an Owner, or the Owner's agent, attorney, or certified public accountant; and
 - c. contains sufficient detail to identify the records being requested.

- II. Owners may request to inspect the books and records or may request copies of specific records.**
 - a. If the Owner makes a request to inspect the books and records, then the Association will respond within **10 business days** of the request, providing the dates and times the records will be made available and the location of the records. The Association and the Owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the Owner with copies of specific documents upon the Owner paying the Association the cost thereof.
 - b. If an Owner makes a request for copies of records and the Association can provide the records easily or with no cost, then the Association will provide the records to the Owner within 10 business days of the Owner's request.
 - c. If the Association is unable to produce the requested records within 10 business days, the Association shall send a response letter advising that the Association is unable to produce the information on or before the 10th business day after the Association received the request and states a date by which the records will be made available (within **15 business days**) and the cost the Owner must pay before the records will be provided. Upon paying the cost to provide the records, the Association shall provide the records to the Owner.

III. The Association hereby adopts the following schedule of costs:

<u>COPIES</u>	10 cents per page for a regular 8.5" x 11" page 50 cents per page for pages 11" x 17" or greater Actual cost for specialty paper (color, photograph, map, etc.) \$1.00 for each CD or audio cassette \$3.00 for each DVD.
<u>LABOR</u>	\$15.00 per hour for actual time to locate, compile and reproduce the records (can only charge if request is greater than 50 pages in length).
<u>OVERHEAD</u>	20% of the total labor charge (can only charge if request is greater than 50 pages in length).
<u>MATERIALS</u>	Actual costs of labels, boxes, folders, and other supplies used in producing the records, along with postage for mailing the records.

IV. The Association hereby adopts the following form of response to an Owner who request to inspect the Association's books and records:

[MONTSERRAT LETTERHEAD]

[Date]

[Name and Address]

Re: Response to Request to Inspect Association Records

Dear _____:

On _____, the Montserrat Homeowners' Association, Inc. received your request to inspect the books and records of the Association. The books and records of the Association are available for you to inspect on regular business days, between the hours of 9:00 a.m. and 5:00 p.m. at the office of Montserrat Homeowners' Association located at 9411 Marbella Drive, Fort Worth, Texas 76126.

Please contact the Association's on-site manager at (817) 560-5511 to arrange for a mutually agreeable time for you to come and inspect the books and records. Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the

associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Very truly yours,

MONTSERRAT HOMEOWNERS ASOCIATION

By _____

V. The Association hereby adopts the following form of response to Owners who request copies of specific records:

[MONTSERRAT LETTERHEAD]

[Date]

[Name and Address]

Re: Response to Request to Inspect Association Records

Dear _____:

On _____, the Montserrat Homeowners' Association, Inc. received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this letter.

In order to obtain the records, you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$_____. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of Montserrat Homeowners' Association located at 9411 Marbella Drive, Fort Worth, Texas 76126.

Very truly yours,

MONTSERRAT HOMEOWNERS ASOCIATION

By _____

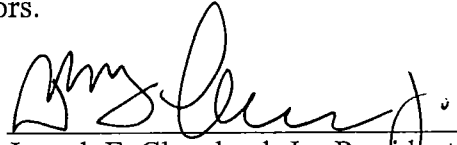
VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after

providing the records, submit to the Owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.

- VII. Unless authorized in writing by the Association or by court order or requested by law enforcement, the Association will not provide copies of any records or release any information containing personal information of an owner, including restriction violations, delinquent assessments, financial information, contact information (other than an owner's address), an owner's authorized guest lists, access lists or logs of guests entering Montserrat and videotapes of individuals captured on Montserrat security cameras; additionally, no privileged attorney-client communications or attorney work product documents will be provided; and no employee information (including personnel file) will be released.
- VIII. With regards to the inspection of ballots, only persons who tabulate ballots under 209.00594 (TPC) may be given access to the ballots cast in an election or vote.

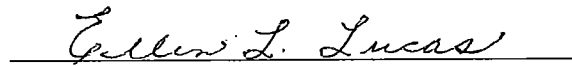
CERTIFICATION

I, the undersigned, being the President of the Montserrat Homeowners Association, Inc., hereby certify that the foregoing Resolution was adopted by a majority of the Montserrat Homeowners Association's Board of Directors.



Joseph F. Cleveland, Jr., President

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by the above-mentioned Affiant on this 27th day of November, 2013, to certify which witness my hand and seal of office.



Notary Public in and for the State of Texas

After Recording, Return To:

Joseph F. Cleveland, Jr.
Brackett & Ellis, P.C.
100 Main Street
Fort Worth, TX 76102

