

BEAUREGARD ESTATES HOMEOWNERS ASSOCIATION, INC.

ADMINISTRATIVE RESOLUTION NO. 2012-1

RESOLUTION ON ACCESS TO BOOKS AND RECORDS

WHEREAS, Beauguard Estates Homeowners Association, Inc. (“the Association”) came into existence as a property owners’ association organized and operating pursuant to the Virginia Property Owners’ Association Act, § 55-508, *et seq.*, Code of Virginia, (1950, as amended) (“Act”) by the filing of the Declaration of Covenants, Conditions and Restrictions for the Beauguard Estates subdivision located in the Town of Leesburg corporate limits, Loudoun County, Virginia, which Declaration is of record in the land records of Loudoun County, having been filed therein on October 5, 1987; and,

WHEREAS, Section 55-510.A-D of the Act outlines the records that must be made available, those which may be withheld and allows the Association to charge owners for copies of books and records of the association if the Board of Directors formally adopts a schedule of charges for materials and labor; and,

WHEREAS, Article X of the Bylaws, Books and Records, states The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member. The Declaration, the Articles of Incorporation and the Bylaws of the Association shall be available for inspection by any Member at the principal office of the Association where copies may be purchased at reasonable cost; and,

WHEREAS, the Bylaws, Article VII, Powers and Duties of the Board of Directors, Section 1, Powers states The Board of Directors shall have power to: (a) Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the Members and their guests thereon, and to establish penalties for the infractions thereof; and,

WHEREAS, for the benefit and protection of all Owners, and in compliance with the Act, the Board deems it desirable to formally adopt a resolution to establish a policy regarding member access to Association books and records;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

I. Request for Examination and Copying.

A. Only members of record in good standing or their authorized agent may request access to Association books and records.

B. A written request for examination and/or copies must be submitted to the Managing Agent at a minimum of five (5) days notice. The request must contain a specific list of all

records to be examined. The request form is attached to this resolution as **Attachment A**.

C. Examination of all records shall be at the primary location of the Managing Agent at a time mutually agreed upon by the Managing Agent and the requester, but at all times during normal business hours.

II. Books and Records Available for Review.

A. Members shall have access to books and records of the Association with the exception of those that concern:

- 1- Personnel matters relating to specific identified persons or a person's medical records;
- 2- Contracts, leases or other commercial transactions currently in or under negotiation;
- 3- Pending or probable litigation
- 4- Matters involving formal proceedings before a government tribunal for enforcement of the association documents or rules and regulations
- 5- Communications with legal counsel that are protected by the attorney-client privilege
- 6- Disclosure of information in violation of law
- 7- Meeting minutes or other confidential records of an executive session of the board of directors
- 8- Documentation, correspondence or reports compiled for the association for consideration in executive session
- 9- Individual unit or member files other than those of the requesting member
- 10- Draft minutes of any board or committee meeting that are less than sixty (60) days old

III. Charges.

The Association is charged fees in accordance with Attachment A-Non-Routine Services, of the contract with the Managing Agent for compiling, overseeing examination and copying Association documents. All such fees will be charged to the requesting member. The schedule of fees is attached to this resolution as **Attachment B** and may be updated annually. All such updates to the schedule of charges shall be published on the Association website (if applicable) or provided to members on request.

**BEAUREGARD ESTATES HOMEOWNERS ASSOCIATION, INC.
RESOLUTION ACTION RECORD**

Resolution Type: Administrative No. 2012-1

Pertaining to: Access to Book and Records

Duly adopted at a meeting of the Board of Directors held on JUNE 11, 2012

Motion by: MIKE SHEEHAN Seconded by: PETER HILL

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>Peter Hill</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Kerry Riley</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Kerry Riley
Secretary

06/11/2012
Date

Resolution effective: JULY 1ST, 2012

Attachment A

REQUEST TO REVIEW
BEAUREGARD ESTATES HOMEOWNERS ASSOCIATION DOCUMENTS

I, _____, request to examine the following files/documents:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I understand that this request is subject to the terms and conditions outlined in Beauregard Estates Homeowners Association, Inc. Resolution 2012-1 and Section 55-510 of the Virginia Property Owners' Association Act, and that the administrative and copying costs are my responsibility.

Name (please print)

Date

Signature

Property Address

Telephone

Email

Instructions: Please complete this form and return it to BEHOA, PO Box 2070, Purcellville VA 20134 or email it to behoa@horizoncommunityservices.com. Within five (5) business days of receipt of the request, you will be contacted via the telephone number and/or email address above to arrange a time/date for you to review the requested files and/or documents.

Attachment B

2012 FEE SCHEDULE FOR DOCUMENT REVIEW/REPRODUCTION

All Below Fees are payable to the Association by the requesting homeowner or their agent.

Compilation of Association Documents to Electronic File for On Site Review	\$25.00
Compilation of Unit File Documents to Electronic File for On Site Review	\$25.00
On site Access to Association records	\$25.00/hr
Document Reproduction Fees	
Annual or Board Meeting Minutes (up to 6 mo)	\$20.00
Articles of Incorporation	\$20.00
Bylaws	\$20.00
Budget	\$20.00
Declaration (CC&Rs)	\$25.00
Annual Financial Statements	\$10.00
Current (Unaudited) Financial Statements	\$10.00
Insurance Declaration Pages	\$25.00
Reserve Study	\$50.00
Rules & Regulations/Architectural Guidelines	\$10.00
All other Records	\$.15/page