



## THE CRANBERRY BAY HOMEOWNERS' ASSOCIATION INC.

P.O. BOX 1565  
BUCKEYE LAKE, OH 43008

[www.cranberrybayhoa.com](http://www.cranberrybayhoa.com)

**Division: Governance**

**Subject: Records Inspection Policy**

**Applicability: CBHA INC. Members of Cranberry and Maple Bay**

**Policy:**

Only Members of the Association have the right to review and receive copies of the Association's books and records. Inspection and copying of records by an Association Member, or the Member's agent or attorney, will occur once the Association Member (including the Member's agent or attorney) has completed and signed the Records Request Form. No Member (including the Member's agent or attorney) is permitted to distribute any record or information obtained through the record inspection to another person, entity, or organization, even if affiliated with the Association.

WHEREAS, Ohio Revised Code 1702.15 provides, "each corporation shall keep correct and complete books and records of account, together with minutes of the proceedings of its incorporators, members, directors, and committees of the directors or members. Subject to limitations prescribed in the articles or the regulations upon the right of members of a corporation to examine the books and records, all books and records of a corporation, including membership records prescribed in 1702.13 of the Revised Code, may be examined by any other member or director or agent or attorney of either, for any reasonable and proper purpose and at any reasonable time."

WHEREAS, Section 15.3 of the Code of Regulations provides, "The Association shall keep in the Association's office or any place in Licking County that the Board so chooses, for the transaction of business the original or a copy of this Code as amended or otherwise altered to date, certified by the Secretary, and which shall be open to inspection by the Members at all reasonable times during business hours. The books, records, and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member."

WHEREAS Article XVI, Rules and Regulations., of the Code of Regulations provides, "Rules and Regulations may be created by the Board of Trustees as may be necessary to implement this Code (Code of Regulations) or for the proper functioning of the Association. These rules and regulations shall be updated, as needed, annually and be made available to all property owners."

WHEREAS, pursuant to Article XVI of the Code of Regulations, the Board of Trustees ("Board") has hereby adopted the following rules and regulations regarding any request for the inspection of the Association's books, records, papers, Article of Incorporation or Code of Regulations or any other document associated with the Association:

1. The purpose of this Record Inspection Policy is not to limit the inspection of the Association's records but to provide for an orderly and manageable request made by any Member of the Association, to the Board, for the inspection or copying of the Association's books and records.

2. The Board, by adopting this Records Inspection Policy, is creating reasonable standards regarding the inspection of its books and records including the times and locations at which those books and records may be examined or copied and the specification of a reasonable fee for copying any documents.

### **Procedure;**

1. All Association record inspection requests or requests for copying Association books and records submitted to the Board from a Member or agent or attorney of either, must be made through the Record Request Form adopted by the Board. Documents related to the books and records of the Association will not be provided to any Member (or the Member's agent or attorney) until the Record Request Form is entirely completed and signed by the Member.

2. Once the Record Request Form is submitted to the Board, the Board will process the request by responding to the appropriate individual making the request within ten (10) business days. The Board reserves the right to provide access to the requested records for inspection or copying within a reasonable time, based on the volume and type of records and documents requested. The reasonable time may exceed the ten (10) days referenced above.

3. The Board, through the President or his/her designee(s), reserves the right to deny inspection and copying of any documents within the Association records until such time as the Member requesting the inspection and copying of the books and records provides a "*reasonable and proper purpose*", as deemed appropriate by the Board.

4. The Board, through the President or his/her designee(s), reserves the right to deny inspection and copying of any documents within the Association if a Member has used any document or information obtained during the inspection for any purpose other than the purpose stated on the request form or distribute any documents or information obtained during the inspection to any person, entity, or organization even if that person, entity, or organization is related to the Association in some manner.

5. The following costs will be charged for copies: (1) \$.1.00 per page; and (2) for more labor-intensive requests, the actual costs incurred by the Association if the Association must pay any charges related to the record request.


The following records within the Association's books and records **will not** be available for inspection or copying at any time:

- a) Minutes from Board executive session meetings;
- b) Information related to CBHA property-related personnel matters, including, but not limited to, timesheets, rate of pay, job applications, and performance reviews, if any;
- c) Any agreements or communications with the Association's legal counsel; the Association's attorney's work product pertaining to potential, threatened, past, or pending litigation; communications and opinions from or to the Association's counsel regarding other Association and CBHA property-related matters; and communications to, from, or between the Association's counsel, Board, or Manager (if there is a manager);

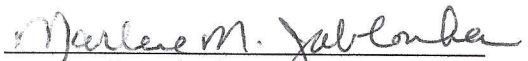
- d) The telephone numbers, e-mail addresses, or other confidential information of the Association's Members, property owners, or tenants on file with the Association;
- e) Any information the Association is prohibited to disclose pursuant to federal, state law, or local law;
- f) Information that pertains to transactions currently under negotiation, including, but not limited to, unaccepted bids and quotes from prospective contractors or other service providers, or

The above policy has been passed by a majority vote of the Board on this 10<sup>th</sup> day of July 2024.

Respectfully submitted,



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President, Board of Trustees



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Secretary, Board of Trustees

**CBHA Board of Trustees: Governance Committee**

**Date of Review;**

**March 10, 2024-July 10, 2024**