

OLENTANGY CONDOMINIUM ASSOCIATION DOCUMENT INSPECTION POLICY

BE IT RESOLVED, that at a meeting of the Board of Trustees (“Board”) of Olentangy Condominium Association (“Association”) held this 16th day of November, 2023, at which a quorum was present, the Board, by a majority of those present in person, voted to adopt a document inspection and copying policy regarding inspection and copying of the Association’s books and records.

WHEREAS, Article V, Section 5 of the *Code of Regulations (Bylaws) of the Olentangy Condominium Association* (the “By-Laws”), in provides for the maintenance of certain Books and Records of account for the Association, and, generally, sets forth a unit owner’s rights to inspect those Books and Records.

WHEREAS, Ohio Revised Code Section 5311.091(A) provides: “Except as otherwise prohibited by this section, any member of a unit owners association may examine and copy the books, records, and minutes described in division (A) of section 5311.09 of the Revised Code pursuant to reasonable standards set forth in the declaration, bylaws, or rules the board promulgates, which may include, but are not limited to, standards governing the type of documents that are subject to examination and copying, the times and locations at which those documents may be examined or copied, and the specification of a reasonable fee for copying the documents.”

WHEREAS, Ohio Revised Code Section 5311.091(B) provides: “The unit owners association is not required to permit the examination and copying of any of the following from books, records, and minutes: (1) Information that pertains to condominium property-related personnel matters; (2) Communications with legal counsel or attorney work product pertaining to pending litigation or other condominium property-related matters; (3) Information that pertains to contracts or transactions currently under negotiation, or information that is contained in a contract or other agreement containing confidentiality requirements and that is subject to those requirements; (4) Information that relates to the enforcement of the declaration, bylaws, or rules of the unit owners association against unit owners; [or] (5) Information the disclosure of which is prohibited by state or federal law.” The condominium statute was updated in September, 2022 and provides the Board is not required to provide any Association records which exceed 5 years from the date of the request.

WHEREAS, pursuant to the authority granted to it under Ohio Revised Code Chapter 5311 and the By-Laws, the Board hereby adopts the following policy regarding inspection and copying of the Association’s books and records:

- A. A unit owner requesting to inspect the Association’s books and records must submit the request to the Association’s property manager (“Manager”) in writing and at least five (5) business days prior to the desired date of inspection. The request for inspection must do all of the following: (1) state the purpose for the inspection; (2) agree not to use or distribute any documents or information obtained during the inspection for any purpose other than the stated purpose for the inspection; (3) specify the type of documents and dates/months to be inspected; and (4) if the unit owner wants copies of certain documents prepared for the inspection, specify the type and dates/months of documents to be copied.

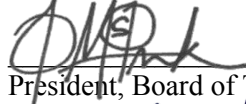
- B. A unit owner may assign a representative (e.g., an attorney, accountant, or other individual providing a professional service for the unit owner) to inspect the Association's records on his, her, or its behalf, but the unit owner must provide written notice of the assignment to the Manager prior to the inspection, which shall include the following: (1) the name, business telephone number, and business e-mail address of the representative; and (2) the relationship to the unit owner (e.g., attorney, accountant, or other professional service provider). The designated representative will be subject to this Document Inspection Policy, as well as all of the other governing documents for Olentangy Condominium Association, while acting on behalf of the unit owner.
- C. The Association's property management company ("Management Company") or Manager may only retain specific documents for certain definite periods of time. A unit owner will not be able to inspect or copy documents that are no longer kept on record with Management Company or Manager.
- D. The Association's records will only be available for inspection during Manager's normal business hours, which, at the time of the adoption of this Document Inspection Policy, are 9:00 a.m. EST to 3:00 p.m. EST. Unless otherwise agreed to in advance by the Board or Manager, records may only be inspected Monday through Friday and not on any federal or state holiday.
- E. All original copies of the Association's records will not be permitted to leave the presence of the Manager. Accordingly, a unit owner must copy any document that the unit owner would like to take from Manager. The unit owner requesting copies of Association records will be charged a reasonable copy fee of \$. 0.25 for each page of any document copied for the unit owner.
- F. In addition to \$. 0.25 per page for copies of Association records, unit owners will also be required to pay \$ 50.00 per hour for the administrative costs of the Manager for gathering the requested documents. This cost is the actual cost charged by Manager to the Association in response to document inspection and copying requests, and this cost will be passed on to the unit owner for whom this cost was incurred.
- G. After accumulating all documents related to a unit owner's request, Manager will calculate the copying fees and administrative costs associated with the request for inspection and submit an invoice for those fees and costs to the requesting unit owner. The unit owner must remit payment for the invoice before the Management Company is authorized to release the copies of the requested records to the unit owner.
- H. The following records of the Association **will** be available for inspection:
- a. The Association's accounting records showing the collection of common assessments paid by the Association's members, which will not include references to specific Unit Owners or Units;
 - b. Records showing the allocation, distribution, and collection of the common profits, losses, and expenses among the Condominium's unit owners, none of which will include references to specific Unit Owners or Units;

- c. The Association's accounting records that specify the receipts and expenditures relating to the Condominium's common elements and other common receipts and expenditures, which records include monthly, yearly, and year-to-date income and expense reports and balance sheets;
 - d. Monthly bank statements for all accounts held in the Association's name, with the account numbers redacted;
 - e. Annual budgets adopted by the Association;
 - f. The names and addresses of the unit owners and their respective undivided interests in the common elements;
 - g. The *Declaration of Condominium Ownership for Olentangy Condominium* ("Declaration"), all amendments to the Declaration, the By-Laws, the Association's Articles of Incorporation, and the Association's rules and regulations;
 - h. The declarations pages or Certificates for all of the Association's insurance policies;
 - i. Reserve studies; and
 - j. The Association's meeting minutes for all annual and special meetings of the members of the Association, as well as all Board-approved minutes from any regular Board meeting (except that confidential information will be redacted as needed).
- I. The following records of the Association **will not** be available for inspection unless specifically approved by the Board:
- a. Minutes for Board executive session meetings;
 - b. Information related to Condominium property-related personnel matters, including, but not limited to, time sheets, rate of pay, job applications, and performance reviews;
 - c. Any agreements or communication 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 Condominium property-related matters; and communications to, from, or between the Association's counsel, Board, or Manager;
 - d. Any documents or reports prepared by the Board or at the Board's request for potential, threatened, past, or pending litigation;
 - e. Information that pertains to transactions currently under negotiation, including, but not limited to, unaccepted bids and quotes from prospective contractors or other service providers;
 - f. Information that pertains to contracts or other agreements containing confidentiality requirements and that are subject to those requirements;
 - g. Contracts with contractors, service providers, or professionals hired by the Association;
 - h. Information that relates to the enforcement of the Declaration and its amendments, the By-Laws, the Association's rules and regulations, and any other governing document of the Association, including enforcement and collection letters, notices, hearing notes and minutes, decisions, specific identification of unit owners delinquent in the payment of their assessments to the Association, or any other information related to enforcement of the Association's governing documents;

- i. Information and documents regarding insurance claims unrelated to the requesting Unit Owner;
 - j. The telephone numbers or e-mail addresses of the Association's Unit Owners or their tenants on file with Management; or
 - k. Any information the Association is prohibited to disclose pursuant to federal, state law, or local law.
- J. The Board reserves the right to deny inspection of any documents within the Association records until such time as the unit owner provides a "reasonable and proper purpose" for inspection and copying of such documents, as deemed appropriate by the Board.

THEREFORE, the above policy has been passed by a majority vote of the Board on this 16th day of November 2023.

Respectfully submitted,



President, Board of Trustees



Secretary, Board of Trustees