

COMSTOCK VILLAGE HOMEOWNERS' ASSOCIATION (CVHA) POLICY ON RECORDS REQUESTS

This policy was adopted by the CVHA Board of Directors at a meeting held on April 15, 2026. by a vote of seven Directors in favor and no Directors opposed. It replaces all previous polices on records requests and inspections the Board has adopted.

1. Definitions:

a. Limited Expense Preexisting Planned Community. The CVHA is a limited expense preexisting planned community under Colo. Rev. Stat. § 38-33.3-119 because it was established on November 7, 1973, before the Colorado Legislature enacted the Colorado Common Interest Ownership Act (CCIOA), Colo. Rev. Stat. (CRS) § 38-33.3-101 et seq., on July 1, 1992, because it charges dues of less than \$400 per year and its dues are capped under Article IV of the Comstock Village covenants, and because it has not opted into CCIOA. As such, it is subject only to CCIOA sections 105 to 107 (CRS §§ 38-33.3-105 to 38-33.3-107).

b. Board of Directors. The Comstock Village Homeowners' Association is governed by an all-volunteer Board of Directors and supported by one paid administrator. The Board of Directors is the duly elected governing body of the Association, acting collectively, and vested with the authority to manage the affairs of the Association, adopt and enforce rules, conduct meetings, and exercise all powers granted under the Association's governing documents and applicable Federal law, Colorado law, and ordinances adopted by El Paso County and the City of Colorado Springs.

c. Owner. Shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

2. Books and Records the Association Maintains. The CVHA currently maintains the following books and records:

(1) Governing Documents: Articles of Incorporation, Declaration of Covenants, Bylaws, rules, regulations, written policies, and amendments to governing documents.

(2) Board Records: Board resolutions; minutes, notices, and agendas of Board and member meetings; actions taken by written consent.

(3) Financial Records: Records of receipts and expenditures affecting the operation and administration of the Association; adopted annual budgets (minimum three (3) years retained); balance sheets; income and expense statements; general ledgers; bank statements; canceled checks and deposit records; accounts receivable and delinquency reports; invoices; contracts; receipts; federal and state tax returns (minimum 7 years); audit or review reports.

(4) Voting Records: Ballots, proxies, and related records, retained for at least one (1) year following the vote, as required by law.

(5) Owner Information: A current list of owners, including names and mailing addresses, as required by law (email addresses, telephone numbers, and other personal identifying information redacted or withheld as permitted by law).

(6) Assessments and Payments: Assessment schedules and payment histories.

(7) Insurance and Contracts: Insurance policies and non-privileged claim related records, excluding confidential, privileged, or legally protected claim materials; and contracts with vendors, managers, and professionals.

(8) Correspondence and Administrative Records: Formal correspondence related to Association business (excluding attorney-client privileged communications and executive session materials); architectural review applications and approvals; and records of covenant enforcement, including violation notices and fines.

3. Excluded Records. The CVHA Board of Directors is the sole authority for determining which books and records the Association must maintain and/or produce. Although the Board of Directors may be guided by CRS § 38-33.3-317, it may deviate, in its sole discretion, from the rules that appear in § 38-33.3-317, and may withhold records including, but not limited to, attorney-client privileged communications; records prepared for or discussed in executive session; personnel, salary, or medical records relating to specific individuals; personal identification and account information of owners; individual owner account information and specific delinquency details; and any records otherwise protected from disclosure by state or federal law.

4. Records Not in Existence. The Association is not required to create, compile, summarize, interpret, reorganize, or otherwise prepare records in response to a request. The Association is only required to produce records that exist at the time the request is received and that are maintained in the ordinary course of business. The Association has no obligation to reconstruct records, create new documents, generate reports, extract data from multiple sources, or convert records into a different format in order to satisfy a records request.

5. Abusive or Unreasonable Requests. The Association may deny a records request if the request is not made in good faith, is made for a commercial purpose, or is unrelated to the requester's interest as a unit owner. Any denial shall be provided in writing and shall state the specific legal basis for the denial.

6. Serial Requests. The response period shall begin upon receipt of a complete written request that reasonably describes the records sought and is submitted to the Association's designated records custodian. A request is considered complete when it reasonably identifies the records sought and any required consolidation or clarification has been provided. If multiple requests from the same owner involve overlapping, related, or continuing subject matter, the Association may treat such requests as a single consolidated request to ensure efficient processing and may require submission of a single, complete list of the records requested. If an owner submits additional, revised, or supplemental requests before the Association has completed processing a prior request, the Association may treat the

additional submissions as a modification or expansion of the pending request. In such cases, the response period shall begin upon receipt of the most recent consolidated or complete request. The Association may also prioritize, sequence, or consolidate multiple pending requests from the same owner as reasonably necessary to manage administrative workload and to process requests efficiently and in good faith. The Association may suspend processing, upon written notice (including email) to an owner or the owner's appointed representative until the owner provides the required consolidated or clarified request.

7. Records Request Procedure. Requests must be submitted in writing to the Association's administrator or designated records custodian. Requests submitted to individual Board members are not considered received until delivered to the custodian. All record requests must be submitted in writing and must describe the records sought with reasonable particularity, including relevant time periods if applicable. Requests for records already publicly available (e.g., on the Association website) may be provided by directing owners to the appropriate location. Records shall be made available for inspection at the Association's principal office or at another reasonable location designated by the Association or provided electronically where available. Records shall be available for inspection during regular business hours or at a mutually convenient time. All records are maintained subject to applicable privacy, confidentiality, and legal limitations. Retention periods for specific records follow statutory requirements and generally accepted business practices.

8. Frequency and Scope. Requests must be reasonable in scope and made in good faith. The Association is not required to repeatedly produce identical records within a short period of time unless the records have materially changed or the owner demonstrates a reasonable need for additional or updated records. Serial or consolidated requests shall be handled as provided in Section 6 above, and the Association may require clarification to reduce administrative burden. The Association may reasonably limit or manage responses to requests that are duplicative, excessive, that reasonably appear intended to harass or that would unreasonably burden the Association. The Association may prioritize or sequence responses when multiple requests are pending in order to ensure efficient and equitable processing. In general, records requests will be handled in the order they

are received and as part of routine Association business. However, there may be delays due to personnel shortages, vacations, or other circumstances (e.g., the Board does not meet in December), and the Board does not have an established timeline for producing records. It will, however, keep the party requesting the record informed when there is a delay.

8. Costs. The association may impose a reasonable charge, which may be collected in advance and may cover the costs of labor and material, for copies of association records. The charge may not exceed the estimated cost of production and reproduction of the records, including the costs of copying, mailing, and any necessary special processing.