

ELITE RESORTS AT CITRUS VALLEY CONDOMINIUM ASSOCIATION, INC.

Official Record Inspection Policy

THIS OFFICIAL RECORD INSPECTION POLICY (“Policy”) has been adopted by the Board of Directors (“Board”) for Elite Resorts at Citrus Valley Condominium Association, Inc. (“Association”) at a properly noticed Board Meeting on 27th day of January, 2021. This Policy is intended to supplement and be used in connection with the Declaration of Condominium for Elite Resorts at Citrus Valley (“Declaration”), By-Laws of the Association, Articles of Incorporation of the Association and any other rules, regulations, policies and procedures adopted by the Association’s Board, as they have or may be amended and supplemented from time to time (collectively referred to as the “Governing Documents”).

I. Authority to Implement Policy

- 1) Pursuant to Article 4, Section 4.1(f) of the By-Laws, the Board is entitled to adopt reasonable rules governing the inspection of the Association’s Official Records.
- 2) Pursuant to Section 718.111(12)(b), Florida Statutes, the Board is entitled to adopt reasonable rules governing the inspection of the Association’s Official Records.

II. Interpretation and Definitions for Policy

- 1) The definitions of the capitalized terms in this Policy, unless otherwise defined herein, shall have the same meaning as those set forth in the Governing Documents.
- 2) In the event any provision of this Policy conflicts with Chapter 718, Florida Statutes, or the Florida Administrative Code, the terms and provisions of Chapter 718, Florida Statutes, or the Florida Administrative Code shall control.
- 3) For the purposes of this Policy, the term “Official Records” shall mean and refer to those written records of the Association designated by Chapter 718, Florida Statutes, including Section 718.111(12)(a), Florida Statutes, as amended from time to time, as the official records of the Association.

III. Official Record Inspections

- 1) Except for such Official Records not available for Unit Owner inspection, the Association’s Official Records are subject to inspection.
- 2) Unit Owners shall have the right to inspect the Official Records of the Association as permitted by law, including Section 718.111(12)(c), Florida Statutes. All references in this Policy to Unit Owner include record title holders and a Unit Owner’s authorized representative, where applicable.
- 3) Any record(s) not constituting Official Records shall not be subject to inspection unless the Association determines it to be in the best interest of the Association to make such record(s) available for inspection.
- 4) A Unit Owner desiring to inspect Official Records shall submit a written request by Certified U.S. Mail, Return Receipt Requested, to the Association at the official mailing address of the Association, pursuant to the most recent on-line Official Records of the Florida Secretary of State, Division of Corporations. Requests by regular U.S. Mail, facsimile transmission, electronic mail (e-mail), verbal requests, or other unspecified means do not comply with this Policy and need not be acknowledged by nor responded to by the Association.

- 5) The written request must specify the particular Official Record(s) the Unit Owner desires to inspect, including pertinent dates or time periods. The specification of the particular Official Record(s) must be sufficiently detailed to permit the Association to retrieve the Official Records requested.
- 6) A Unit Owner's inspection request shall be deemed received on the date the receipt card was signed for by the Association.
- 7) Inspection of Official Records shall be restricted solely to those Official Records designated in the written request for inspection and shall be conducted solely by the Unit Owner signing the inspection request, or his or her authorized representative.
- 8) If more than one Unit Owner desires to inspect the same Official Records, the Association may require that such inspections be conducted at different times provided that co-Unit Owners of a Unit may inspect Official Records together. If a Unit Owner has designated an authorized representative, either the Unit Owner or the authorized representative may inspect the Official Records; however, both parties may not inspect the Official Records together.
- 9) The Association is not obligated to create or generate a document or report that it does not maintain in the form requested by the Unit Owner, or that is not required by Chapter 718, Florida Statutes, or Governing Documents to maintain.
- 10) The Association is not required to respond to questions or provide additional information to the Unit Owners or their representatives during the inspection.
- 11) A Unit Owner shall not submit more than one (1) written request for inspection of Official Records per calendar month. Any request submitted more frequently shall be null and void and need not be acknowledged by nor responded to by the Association.
- 12) A Unit Owner shall not submit a request for re-inspection of the same Official Records for a period of six (6) months if the record has not changed. Any request submitted for re-inspection of the same unchanged document within the six-month period shall be null and void and need not be acknowledged by nor responded to by the Association.
- 13) Inspections of Official Records shall be conducted at the office where the Association's Official Records are maintained or at such other location as may be designated by the Association. Records must be made available for inspection in Lake County or within forty-five (45) miles of the Association.
- 14) No Unit Owner shall remove original Official Records from the location where the Official Records are inspected.
- 15) No marks or alterations shall be made on original Official Records.
- 16) Official Records shall generally be made available for inspection by the Association on or before the tenth (10th) working day subsequent to the date of receipt by the Association, as defined by this Policy, of the written request for inspection. This time frame may be extended upon agreement of the Unit Owner or for good cause. In addition, this time frame shall be extended in the event the Official Records are so voluminous, or otherwise in such condition as to render this time frame unreasonable. For the purposes herein, "working day" shall mean Monday through Friday, exclusive of federal, state and local holidays in which the office of the Association or office where the Official Records are being

made available for inspection is closed.

- 17) The Association shall notify the Unit Owner by telephone or in writing (which may include e-mail), that the Official Records are available and the time, date, and place for such inspection. Inspection shall be made only during normal Association business hours, or during the normal business hours of the location of inspection if other than the Association office. For purposes herein, "normal Association business hours" shall be the hours the Association office is customarily open, or the hours the location where the Official Records are to be inspected is customarily open, or if there are no customary hours of operation, then 9:00 A.M. to 12:00 P.M. and 1:00 P.M. to 5:00 P.M., all on a working day. No Unit Owner shall be entitled to inspect Official Records for more than nine (9) hours cumulatively in any calendar month. At the request of either the Association or the Unit Owner, inspections may be broken up into segments, provided that three (3) inspection visits per calendar month shall be the maximum number of sessions in a calendar month, and nine (9) hours maximum cumulative inspection time.
- 18) If at, or subsequent to, inspection, a Unit Owner desires to have a copy of a record, the Unit Owner shall designate in a separate writing, which record, or portion thereof, for which a copy is desired, or, in the alternative, shall designate such record by use of a clip or tab upon the page(s) desired. Not more than one (1) copy of each record requested shall be provided. If the location where the Official Records are being inspected or stored has a copy machine capable of making copies of the Official Records designated, and the Unit Owner has requested the copying of twenty-five (25) or less pages of Official Records, then copies of the Official Records shall be available contemporaneously with the inspection. If, however, the Official Records to be copied exceed twenty-five (25) pages, or there is no copy machine at the location where the Official Records are being inspected or stored capable of making copies of the Official Records designated, the Association may send the Official Records out for copying by an outside source, such as a commercial copying company or make the copies at the location of the Official Records, but available for later pick-up. If copied at the location where the Official Records are kept, copies in excess of twenty-five (25) pages shall be made available for pick-up by 5:00 P.M. within three (3) working days from the date of the inspection, the day of inspection not counting in calculating this deadline. Copies made by an outside source shall be available as soon as a copying service can reasonably pick-up, copy and return the Official Records to the location where the Official Records are being inspected or stored. Photocopies will be available at the place Official Records are kept or produced for inspection. **Unit Owners requesting copies must arrange for pick-up of Official Records. The Association shall have no obligation to mail or otherwise deliver copies to any place.**
- 19) The Association shall allow a Unit Owner to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the Official Records in lieu of the Association providing the Unit Owner with a copy of such Official Records.
- 20) A Unit Owner shall pay the reasonable expense of copying. In the event the copies are made by the Association, the cost shall be equal to the per-page rate customarily charged by the Association office for copies. If copies are made by outside vendors, actual costs shall be charged to the Unit Owner. Payment in advance for the cost of copies shall be required. No copy of a record shall be made unless and until payment for the copy is received.
- 21) If Official Records are kept on computer format, the Association may print such Official Records to paper. The Association may, but shall not be obligated to, allow Unit Owners to access the Association's computer system. If the Association provides access to Official Records through a computer supplied by the Association or the office in which Official Records access is being conducted, the person inspecting the Official Records shall not e-mail the Official Records inspected to any other

computer, person, or e-mail account, review other content or programs on said computer, nor otherwise in any fashion download, forward, or otherwise transmit or manipulate the data he or she reads during the inspection of the Official Records by review on electronic mail, internet or other computerized format.

- 22) The Association may comply with its obligation to make Official Records available for inspection, at its sole discretion, by providing them to the Unit Owner by electronic mail, the internet, or making them available in a computerized format readable with customary programs used in computers of consumers. If, however, a Unit Owner provides the Association with written notice that they do not have access to a computer, the Association must make the Official Records available for inspection as otherwise described herein.
- 23) All persons inspecting or requesting copies of Official Records shall conduct themselves in a courteous and professional manner and shall not interfere with the normal operation of the Association office and the duties of their personnel, or the office where the Official Records are otherwise inspected or copied, nor the duties of their personnel. The Association office, or office of inspection, may assign a staff person or other person to assist in the inspection and all requests for further assistance and copying during inspection shall be directed to that staff person.

IV. Remedies For Non-Compliance With Policy and Governing Documents

- 1) Any violation of this Policy may result in the immediate suspension of the inspection until such time as the violator agrees in writing to comply herewith.
- 2) Any requests made under this Policy not complying with this Policy need not be honored, acknowledged, nor responded to by the Association.
- 3) Nothing in this Policy shall be deemed a waiver of any of Association's rights and remedies available to it at law and in equity whether such rights and remedies arise under Florida law or the Governing Documents. All such rights and remedies are cumulative and the Association reserves the right to exercise any of them.

There are four (4) total Board members. The number of Board members who voted in favor of this Policy are four (4). The number of Board members who voted against this Policy are None. The vote of each Director on the Board is reflected in the _____ minutes of the meeting at which this Policy was adopted.

ELITE RESORTS AT CITRUS VALLEY CONDOMINIUM
ASSOCIATION, INC.

BY: Elite Resorts Board of Directors
AS ITS: Regular Board of Directors' Meeting

DATE: January 27th, 2021