

## **Bayvista Condominium Association, Inc.**

### **Policy for Records Inspections and Cost Schedule**

Adopted by the Board of Directors of the Association on April 30, 2012

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- 1) In accordance with §55-79.74:1(D) of the Virginia Condominium Act, prior to allowing inspection and/or providing copies of any books and records to a member of the Association who requested same in accordance with the provisions of §55-79.74:1 and §13.1-933 of the Code of Virginia, as amended, the Association shall impose and collect a charge for both of the following:
  - (a) for the labor costs associated with the Association's employees and/or agents complying with such copying and production:
    - i. Administrative Staff at \$25.00 per hour
    - ii. Manager at \$75.00 per hour
    - iii. Bookkeeper at \$35.00 per hour
  - (b) for the labor costs of materials, 13 cents per page for the cost of black and white copies, and \$1.00 per page for the cost of color copies. Copies of documents larger in width and/or length than standard (8 ½ x 11) copy paper and/or legal sized paper shall be charged at a rate that shall be determined by the Association at its discretion, but in no case shall the rate be greater than the actual copying cost thereof.
- 2) This cost schedule shall apply equally to all members of the Association in good standing and this schedule shall be provided to a requesting member at the time a request is made.
- 3) Inspection and/or copy services shall be commenced only after an owner has complied with the requirement of §55-79.74:1(D) which requires that the request is for a proper purpose related to membership in the Association.
- 4) The right of examination may be exercised only during business hours at the office of the Association and upon at least five (5) days written notice reasonably identifying the purpose for the request and the specific books and records requested.
- 5) The furnishing of records is subject to the right of the Association to withhold certain records pursuant to §55-79.74:1(C) of the Act. The following records may be withheld from examination or copying by owners and contract purchasers:
  - (a) Personnel matters relating to specific, identified persons or a person's medical records;

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Page Two of Two

- (b) Contracts, leases, and other commercial transactions to purchase or provide goods or services, currently in or under negotiation;
- (c) Pending or probable litigation. Probable litigation means those instances where there has been a specific threat of litigation from a party or the legal counsel of a party;
- (d) Matters involving state or local administrative or other formal proceedings before a government tribunal for enforcement of the condominium instruments or rules and regulations promulgated by the executive organ;
- (e) Communications with legal counsel which relate to subdivisions 1 through 4 or which is protected by the attorney-client privilege or the attorney work product doctrine;
- (f) Disclosure of information in violation of law;
- (g) Meeting minutes or other confidential records of an executive session of the executive organ held pursuant to subsection C of §55-79.75;
- (h) Documentation , correspondence or management or executive organ reports compiled for or on behalf of the unit owners' association or the executive organ by its agents or committees for consideration by the executive organ in executive session; or
- (i) Individual unit owner or member files, other than those of the requesting unit owner, including any individual unit owner's files kept by or on behalf of the unit owners' association.