



## Cape Henry Towers Council of Co-Owners

3288 Page Avenue • Virginia Beach, VA 23451 • 757-481-7500 • Fax: 757-481-3673

Professionally Managed By: **THE SELECT**  
Group, Inc.

February 13, 2020

Unit Owners  
Cape Henry Towers Council of Co-Owners  
Virginia Beach, VA 23451

### **RE: POLICY FOR RECORDS INSPECTION & COST SCHEDULE RESOLUTION**

Dear Unit Owners,

The Board has adopted a resolution for a Policy for Records Inspection and Cost Schedule, effective January 10, 2020.

This resolution outlines the labor/materials costs for Homeowners who request to inspect the Association's books and/or records and for any copies requested. We have enclosed a copy of the resolution for your review and records. Please keep this with your other pertinent documents for Cape Henry Towers.

Should you have any questions or concerns, please feel free to contact the office at (757) 481-7500 or via e-mail at [tgrieve@theselectgroup.us](mailto:tgrieve@theselectgroup.us).

Respectfully,

Tyler Grieve, CMCA®, AMS®  
Association Manager  
On Behalf of the Board of Directors

TG:kb

CC: Board of Directors  
File

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF  
CAPE HENRY TOWERS COUNCIL OF CO-OWNERS, INC.**

**Policy for Records Inspection and Cost Schedule**

At a duly noticed meeting of the Board of Directors ("Board") of CAPE HENRY TOWERS COUNCIL OF CO-OWNERS, INC. ("Association"), a Virginia condominium association and nonstock corporation, held on JANUARY 10, 2020, the Board of Directors did hereby approve the following action:

RESOLVED, pursuant to Section 55.1-1945 of the Virginia Condominium Act (the "Act"), the attached Policy for Records Requests and Cost Schedule is hereby adopted;

FURTHER, RESOLVED, that the officers and directors of the Association are hereby authorized to perform such other and further acts as are necessary to carry out the intent of this Resolution, including providing a requesting owner a copy of such policy at the time a request for records is made.

This Resolution will be included in the Minutes as part of the official records of the Association.

Effective Date: JANUARY 10, 2020

CAPE HENRY TOWERS COUNCIL OF CO-OWNERS, INC.

By Robert D Jones  
ROBERT D JONES, President

ATTEST:

Anmarie Fowler  
Anmarie Fowler, Secretary



## CAPE HENRY TOWERS COUNCIL OF CO-OWNERS, INC.

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

Adopted by the Board of Directors on January 10, 2020

1. In accordance with Section 55.1-1945 of the Virginia Condominium Act (the "Act"), prior to allowing inspection and providing copies of any books and records of the Association to an owner who requested the same in accordance with the provisions of Section 55.1-1945 of the Act and Section 13.1-933 of the Virginia Nonstock Corporation Act ("Nonstock Act"), as amended, the Association may impose and collect a charge for the following:
  - a. For the labor costs associated with the Association's employees and/or agents complying with such copying and production:
    - i. Manager - \$50 per hour
    - ii. Assistant Manager - \$40 per hour
    - iii. Other Personnel - \$30 per hour
  - b. For the cost of materials:
    - i. \$0.25 per page for black and white copies
    - ii. \$1.00 per page for color copies
    - iii. documents larger in width and/or length than standard (8-1/2" x 11") copy paper and/or legal-sized paper will be charged at a rate determined by the Association in its discretion, but in no case will the rate be greater than the actual copying cost
2. The cost schedule applies equally to all owners of the Association in good standing and will be provided to a requesting owner at the time a request is made.
3. Inspection or copy services will be commenced so long as the request is for a proper purpose related to the owner's membership in the Association and not for pecuniary gain or commercial solicitation, and subject to subsections B and C of Section 55.1-1945.
4. The right of examination may be exercised only during business hours at the on-site office or the office of the managing agent and upon five (5) business 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 from inspection or copying pursuant to subsections C of Section 55.1-1945 to the extent they are drafts not yet incorporated into the books and records of the Association or if such books and records concern:
  - a. Personnel matters relating to specific, identified persons or a person's medical records;

- 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 person having standing to bring legal action or the legal counsel of such person;
- d. Matters involving state or local administrative or other formal proceedings before a government tribunal for enforcement of the condominium instruments (i.e. Declaration, Bylaws, plats and plans) or rules and regulations promulgated by the Board;
- e. Communications with legal counsel that relate to subsections a through d above or that are 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 Board held in accordance with subsection C of Section 55.1-1949;
- h. Documentation, correspondence, or management or Board reports compiled for or on behalf of the Association or the Board by its agents or committees for consideration by the Board in executive session; and
- i. Individual owner or member files, other than those of the requesting owner, including any individual owner's or member's files kept by or on behalf of the Association.



CAPE HENRY TOWERS COUNCIL OF CO-OWNER, INC.

Request for Association Books and Records

Owner's Name \_\_\_\_\_  
Unit Address \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_ Email Address \_\_\_\_\_

The undersigned requests the Association that the books and records kept by or on behalf of the Association be made available for (check one or both): \_\_\_\_ examination or \_\_\_\_ copying pursuant to Section 55.1-1945 of the Virginia Condominium Act, and acknowledges, understands and represents that:

INITIAL ALL:

- \_\_\_\_ the undersigned is an owner in good standing of the Association or the authorized agent of the owner  
\_\_\_\_ this request is for a proper purpose related to the owner's membership in the Association  
\_\_\_\_ this request is not for pecuniary gain or commercial solicitation  
\_\_\_\_ prior to providing copies of any books and records, the Association may impose and collect a charge, reflecting the reasonable costs of materials and labor, not to exceed the actual costs thereof, which charges are in accordance with the Cost Schedule adopted by the Board of Directors, and I agree to pay any such costs associated with this records request  
\_\_\_\_ a copy of the Cost Schedule has been received  
\_\_\_\_ certain books and records may be withheld from inspection or copying  
\_\_\_\_ this right of examination may be exercised only during reasonable business hours or at a mutually convenient time and location and upon five business days' written notice

Specific Book and Record Requested

Reasonably Identify the Purpose for the Request

Owner \_\_\_\_\_ Date \_\_\_\_\_  
Signature