

CROSS CREEK II PATIO HOMES

RULES AND REGULATIONS

RECORDS INSPECTIONS

July 2023

Inspection and Copying of Records (Authority: § 720.305(5), F.S.)

1. A homeowner wishing to inspect Association records must send the Association a written request by certified mail, return receipt requested (§ 720.303(5)(a), F.S.).

The request must be mailed to: Property Manager of Cross Creek II Patio Homes, Association Services of Florida, 10112 USA Today Way, Miramar, Florida 33025.

2. Pursuant to § 720.305, F.S. the Association will make the records available to the homeowner within 10 business days after the board receives the written request in one of the following ways:
 - a. At the office of its property manager (see #1)
 - b. Electronically via the Internet if the Association so chooses
 - c. Allowing the records to be viewed in electronic format on a computer screen and printed upon request;
3. If the Association has a copy machine available where the records are maintained it will provide copies to the homeowner on request during the inspection if the entire request is limited to no more than 25 pages.
4. The homeowner or his/her authorized representative may use a portable device to make electronic copies of the official records in lieu of the Association providing paper copies.
 - a. "Portable Device" includes a smartphone, a tablet, a portable scanner, or any other technology capable of scanning or taking photographs.
 - b. The Association will not charge the homeowner if a portable device is used.
5. The homeowner is not required to state the reason for the inspection.
6. The homeowner is not required to demonstrate a proper purpose for the inspection.

7. Frequency of inspections: a homeowner may inspect records for one 8-hour business day per month.
8. Costs of copies (§ 720.305(5)(c), F.S.):
 - a. The Association may impose fees to cover the costs of providing the records, including the costs of copying and the costs required for personnel to retrieve and copy them *if* the time spent retrieving and copying exceeds thirty minutes and *if* the personnel costs do not exceed \$20.00 per hour.
 - b. However, personnel costs will not be charged for records requests that result in the copying of 25 or fewer pages, or whatever amount is established by law.
 - c. The homeowner must pay a charge of up to 25 cents per page for copies made on the Association's copy machine, or whatever amount is allowed by law.
 - d. If the Association does not have a copy machine available where the documents are located, or if the records to be copied exceed 25 pages in length, the Association may have the copies made by an outside duplicating service. The homeowner must pay the actual cost of copying, as supported by a vendor invoice the Association provides.
9. The Association will maintain an adequate number of copies of the recorded governing documents, to ensure their availability to members and prospective members. (§ 720.303(5)(c), F.S.)
10. The following records will not be available for inspection or copying, per § 720.303(5)(c)1-9. These include:
 - 1) Any record protected by lawyer-client privilege, or by work-product privilege;
 - 2) Information the Association obtains in connection with the approval of the lease, sale, or other transfer of a parcel;
 - 3) Personnel records of association or management company employees. "Personnel records" do not include written employment agreements with the Association or management company employees, or budgetary or financial records that indicate the compensation paid to the association or management company employees;
 - 4) Medical records of homeowners or residents;
 - 5) Social security numbers, driver license numbers, credit card numbers, electronic mailing addresses, telephone numbers, fax numbers, emergency contact information; any addresses for a parcel owner other than what was

provided to the Association for notice purposes, and other personal identifying information of any person (other than the person's name, parcel designation, mailing address, and property address);

- 6) Any electronic security measure the Association uses to safeguard data, including passwords;
- 7) The software and operating system the Association uses which allows the manipulation of data, even if the homeowner owns a copy of the same software used by the Association. The data, however, is part of the Association's official records.
- 8) All affirmative acknowledgments made per § 720.3085(3)(c)3, F.S. , which governs the preparation of liens to secure payment of maintenance fees.

11. Should the Association print and distribute a directory of all homeowners, a homeowner may exclude his or her phone numbers from the directory by making a written request. An owner may file a written consent to include the other information described in Rule #10. The Association is not liable for disclosure of information that is protected by laws if the information is included in an official record and is voluntarily provided by the homeowner and not requested by the Association.

12. Prospective Sales:

- a. The Association will not provide a prospective purchaser or lienholder with information about Cross Creek II other than the information or documents the law requires it to disclose.
- b. Other than information the law requires Cross Creek II to give, a reasonable fee (not to exceed \$150.00 or higher amount allowed by law) will be charged to the prospective purchaser or lienholder, or to the current parcel owner, for providing good faith responses to requests for information by or on behalf of a prospective purchaser or lienholder.
- c. The Association will also charge for the reasonable cost of copying, and for any attorney's fee the association incurs in connection with the response.