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**RULE RELATING TO INSPECTION AND COPYING OF RECORDS  
(Sec. 718.111 (12)(b) Florida Statutes) (Adopted January 6, 2016)**

A Unit Owner ("Requestor") may inspect and copy official records of the Association by submitting a written and signed request personally delivered or mailed to any Board Member subject to the following;

- a.) The Request must describe the documents with reasonable clarity so that the requested documents can be identified and assembled;
- b.) The Request must contain a telephone number and, if applicable, an email address where the Requestor can be contacted to arrange a date and time for inspection. Unless the Requestor agrees otherwise, the inspection shall take place within five (5) business days from the date on which the Request is actually received by the Board Member. The Board Member shall record on the Request the date and time of receipt of the Request, whether received by personal delivery or US mail;
- c.) All record inspections shall occur on business days (excluding Federal Holidays) and shall take place in the Association's mail room, adjacent to the office in the condominium building between the hours of 10 o'clock AM and Noon, Eastern Time, in the presence of a Board Member or designee and no records shall be removed from the mailroom by the Requestor;
- d.) The Requestor may order a copy of any record by affixing to the page(s) a Post-It and by prepaying the copy cost at the rate of fifty-cents (\$.50) per page to the Association office. The requested copies shall be prepared within 24 hours after the records are returned to the office and will be available thereafter for retrieval by the Requestor. Alternatively, the Requestor may bring to the inspection any mobile copying device to make his or her own copies;
- e.) Prior to the inspection, the requested records shall be examined by an Association Officer or Board Member to determine whether any record contains any information enumerated in sec. 718.111(12)(c) which is exempt from inspection or copying and any such record shall be withheld from inspection and copying;
- f.) No Unit Owner may request an inspection or copying of records more than twice in a calendar year;
- g.) No Requestor shall alter, deface or place any markings upon any of the inspected documents; any such violation shall subject the Requestor to fines and sanctions set forth in the Amended Declarations and ByLaws and each page so altered, defaced or marked upon shall be considered a separate offense;
- h.) A Requestor may have an assistant attending the inspection, except that the assistant shall not be a professional (e.g., attorney, accountant) who has at any time previously been retained by the Association to perform professional services on behalf of the Association;
- i.) In the event that a Requestor is observed to have violated any of these rules, the attending Board Member is authorized to immediately terminate the inspection and take possession of all documents.
- k.) As a convenience to Unit Owners, the following attachments accompany this Rule and are incorporated by reference;
  - 1.) Suggested form for requesting inspection of documents;
  - 2.) A listing of documents required to be kept by the Association;
  - 3.) A listing of documents which are NOT accessible to Unit Owners.

## REQUEST TO ACCESS ASSOCIATION RECORDS

This request to access records of the association and records checklist is designed to facilitate the inspection process. Use of this form is recommended, but not required.

**DIRECTIONS TO UNIT OWNER:** In the space provided below, enter the date, name of the association, and specifically identify and list the documents to be inspected and/or copied. In order to alleviate potential problems and to expedite the process, it is recommended that you narrow your request as much as possible for each issue targeted. Print your name, unit number, and telephone number at the bottom of the page. Send the original to the board or its designee and keep a copy for your use. Delivery of the request to the board or its designee should be made either by witnessed hand-delivery or certified mail, return receipt requested unless the association has adopted specific rules regarding requesting access to records in which case you should follow those rules. After delivery of the request, the burden is on you (the unit owner) to initiate and make contact with the board or its designee, either in person, by telephone or e-mail, to set a specific and an alternate time, date, and place to inspect and copy the requested records. **At the inspection, first inventory the documents provided against this list of requested records.** If the document requested is provided circle yes, if not, circle no. Then proceed with your records inspection appointment.

Today's Date: \_\_\_\_\_, 20\_\_\_\_.

**DIRECTIONS TO THE BOARD:**

THE BOARD OF DIRECTORS OR ITS DESIGNEE OF

\_\_\_\_\_ CONDOMINIUM ASSOCIATION:

I request to inspect and copy the following official records of the association:

List of each document to be inspected and/or copied	Was the document provided?	Comments
	Yes / No	
	Yes / No	
	Yes / No	
	Yes / No	
	Yes / No	
	Yes / No	
	Yes / No	
	Yes / No	

Florida law provides: "The official records of the association are open to inspection by any association member or the authorized representative of such member at all reasonable times. The records of the association shall be made available to a unit owner within 45 miles of the condominium property or within the county in which the condominium property is located within 5 working days after receipt of written request by the board or its designee." Further, "The failure of an association to provide the records within 10 working days after receipt of a written request shall create a rebuttable presumption that the association willfully failed to comply." SEE: § 718.111(12), Florida Statutes.

Please contact me upon receipt of this request to set a specific and alternate date, time, and place for the inspection and copying of the records.

Name : \_\_\_\_\_ Unit Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_