

## REQUEST FOR DOCUMENTS

Owners are entitled to a year-end financial statement at no charge. Documents recorded in the public records of Brevard County are linked to our management company web site. Copies of other documents require a written request pursuant to Florida law.

### I. Records Defined

The official records available for inspection and copying are those designated by the Florida Condominium Act, as amended from time to time.

### II. Persons entitled to inspect or copy

Every unit owner, or the unit owner's duly authorized representative, as designated in advance in writing, shall have the right to inspect or copy the official records pursuant to the following rules.

### III. Manner of Inspection and copying

A. Every unit owner, or the unit owner's duly authorized representative, desiring to inspect the Association's records shall submit a written request, sent via first class mail, postage prepaid, to the Association Management Company, Reconcilable Differences, 2560 Palm Lake Drive, Merritt Island, FL 32952. The request must be specific, identifying the particular record(s) subject to the inspection request, including pertinent dates or time periods covered thereby, except that no single request shall request records covering a period of three (3) consecutive years. The request must be sufficiently detailed to allow the Association to understand and locate the records requested.

B. Inspection or copying of records shall be limited to those records specifically requested in the original request, except that the Association may, at its option, produce records containing the requested records, and may allow inspection of all records so produced, provided it shall be under no obligation to isolate, locate, sort or designate the specific records requested.

C. No unit owner or the authorized representative shall submit more than one written request for inspection in a two-week period nor for copying of the same record more than once in a thirty (30) day period.

D. All inspection of records shall be conducted at the Association's office, or at the official location where the records are located, or at such other location designated by the Association, provided that such locations shall be either within 45 miles of the condominium property or within the county in which the condominium property is located. No unit owner or the authorized representative shall remove original records from the location of inspection. No alteration of the original records is permitted. To prevent loss of records and to better maintain the organization of the official records, not more than two owners or their authorized representatives shall inspect records at any one time, provided that each has signed a request to inspect records either together or separately.

E. On or before the fifth (5th) working day subsequent to the actual receipt by the Association of the written request for inspection, the Association shall, at its option:

1. make the requested records available for inspection, or
2. indicate in writing to the unit owner or authorized representative requesting inspection of records or the unit owner's authorized representative that the records will be available by the Association for inspection at a stated location during stated hours, or
3. notify the unit owner or the unit owner's authorized representative, in writing, that the records are available on a specific time, date and place for such inspection, or
4. offer, in writing, the option to provide the unit owner or the unit owner's authorized representative some or all of the records of the Association either electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request.

A sample response complying with the forgoing rules is attached hereto as an exhibit. The time frame may be extended by written request of the unit owner or the unit owner's authorized representative. In addition, this time frame shall be extended in the event records are so voluminous or otherwise in such condition as to render this time frame unreasonable.

Unless mutually agreed to the contrary, inspection shall be made only on working days during normal Association business hours or normal business hours of the location of inspection if other than the Association office. (The term "working days" shall mean Monday through Friday, exclusive of federal, state and local holidays during which the office of the Association is closed. The term "normal business hours" shall be the hours that the Association office is customarily opened, or the hours at the location where the records are inspected is customarily opened, or if there are no customary hours and the records being requested are at the location of Carmel Retirement Condominium, Inc. then between 2:00 p.m. to 4:00 p.m. on the second and fourth Thursday of each month. Notwithstanding, the foregoing, if and for as long as the Association is self-managed, the Association shall from time to time designate a specific day of the work week for inspections to be held.

F. If a unit owner or authorized representative desires to obtain a copy of any record, the unit owner or authorized representative shall designate in writing which record is desired, or in the alternative shall designate such record by use of a tab or clip upon the pages desired. If the location of inspection has a copy machine, then copies of the record shall be available within three (3) working days of the request. If the location of inspection has no copy machine, then copies shall be made available upon return of the records from a copying service. In the event the above-referenced item frame is impracticable due to the voluminous nature or condition of the records, then copies will be made available as soon as is practical.

- G. A unit owner or authorized representative shall pay the reasonable expense of copying. Copies shall cost \$.50 per page, or the actual charges imposed by a commercial copy service, plus a fee of \$25.00, to defray the cost of locating and assembling official records, removing and/or redacting information excluded by statute from the official records, and assisting with locating specific documents in the official records. In the event the expected cost of copies exceeds \$5.00, payment in advance of copying may be required. The \$25.00 fee must be paid in advance in all cases.
- H. No single request for copies shall exceed one hundred (100) pages of materials.

#### IV. ENFORCEMENT OF INSPECTION AND COPYING RULES

- A. With the sole exception of an inspection that has been terminated under Section III(J) of these rules, any violation of these rules shall cause the immediate suspension of the inspection or copying until such time as the violator agrees in writing to comply herewith.
- B. Any request for inspection and copying not complying with these rules shall not be honored. However, the Association shall indicate in writing the nature of the noncompliance and transmit same to the requesting party.
- C. The Board of Directors may take any available legal action to enforce these rules, including the levy of a fine in the event fining is authorized by the condominium document's.
- D. The Association shall be under no obligation to provide access to or copies of records for which the Association related either to prior responses to inquiries or prior inspection and copying of records, whether pursuant to Chapter 718, Fla. Stat. or pursuant to discovery in court proceedings. If the facts and circumstances indicate that the inspection or copying is being made on behalf of another, no access to or copies of records for which the Association incurs any expense in obtaining, producing or reproducing such records shall be allowed until the owner or who's behalf the inspection or coping is being made has paid all outstanding obligations to the Association related either to prior responses to inquires or prior inspection and copying of records.
- E. The Association shall advise the member in writing that the records will be produced and available for copying when the outstanding indebtedness is paid in full.

#### SAMPLE RESPONSE TO REQUEST TO INSPECT RECORDS

Dear \_\_\_\_\_:

The Association acknowledges your recent request for copies and summaries of various documents. Under the Florida Condominium Act you have the right to inspect the official records of the Association, and upon your inspection, you may designate some or all of those records for copying at your expense. We reserve the right to require advance payment.

Please note the Association has no obligation to copy and mail or deliver records to you, nor does it have the obligation to create summaries, extract or compilations of documents, as you have requested. You may create these from the records you inspect.

Please contact \_\_\_\_\_ at (321)\_\_\_\_\_ during the hours of \_\_\_\_\_ through \_\_\_\_\_ Monday through Friday to arrange a mutually convenient date and time for your inspection. At that time, you will be allowed to inspect all records in the Association's possession. All inspections are held on a \_\_\_\_\_ day each week.

The Association may be able to offer you the option to provide some or all of the records of the Association either electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. When you contact us, please indicate whether this option would be of interest to you.

Sincerely,