

SANDESTIN OWNERS ASSOCIATION, INC.
Official Records Request and Review Policy
Board of Directors Approved April 25, 2024

The Sandestin Owners Association, Inc., a Florida not-for-profit corporation (“Association”) held a duly noticed Board of Directors meeting on the 25th day of April, 2024, at which a quorum was present, and at which the following rules and regulations were adopted;

WHEREAS, the Amended and Restated Covenants, Conditions, and Restrictions of Sandestin (“Declaration”), recorded at Book 3062 and Page 1215, in the Official Records of Walton County, Florida, establish the Association as the homeowners association in charge of the Sandestin Community;

WHEREAS, Section 720.303(4), *Florida Statutes*, defines the official records of the Association and time periods in which they shall be kept;

WHEREAS, the Association fully supports an owner's legal entitlement to inspect and copy official records of the Association as provided in Section 720.303(5), *Florida Statutes*;

WHEREAS, Section 720.303(5)(c), *Florida Statutes*, provides that a homeowner’s association may adopt reasonable rules and regulations regarding the frequency, time, location, notice, records to be inspected and manner of inspections and copying of records, and the Association desires to adopt such reasonable rules and regulations.

WHEREAS, the Association has, in the past, received requests to review official records that were delivered via inconsistent means and often contained requests that were incomplete, vague, overbroad, and otherwise could not be fulfilled by the Association in a timely manner;

WHEREAS, the Association feels that by establishing these rules and regulations the process for owners to review the Association’s official records will become more efficient for both the Owners and the Association;

WHEREAS, this instrument has been adopted pursuant to the Association’s Declaration, Bylaws, and Chapter 720 of the Florida Statutes.

NOW, THEREFORE, the Association hereby adopts the following Rules and Regulations:

I. Official Records

- a. The official records of the Association that are available for review by an Owner (as defined in the Declaration “Owner”) are those documents defined in Section 720.303(4), *Florida Statutes*, and in the Association’s possession. Any Association records that are confidential or protected, as provided in Section 720.303(5)(c)1.-9., *Florida Statutes*, are not accessible to Owners.
- b. A request from an Owner to review official records must be in writing on the Association’s approved records request form (attachment A) and hand-delivered, sent via certified mail, or sent via email to the Association Manager. The Association shall be under no legal obligation to respond to requests not sent per this provision.
- c. The requested records shall be made available for inspection to the Owner or his or her authorized representative on or before ten (10) business days following the Association’s receipt of a written request for inspection per section b. above. The Association shall notify the requesting Owner in writing of the time and place the records will be made available and shall attempt to make the records available at a mutually convenient time and date.

- d. An Owner may appoint a representative to inspect the official records on behalf of the Owner upon written notice delivered to the Association twenty-four (24) hours before the scheduled review time per section c. above.
- e. An Owner is limited to no more than two records requests made per Owner per calendar month, and an Owner is limited to one business day per month to conduct any inspections.
- f. The request for official records must identify the exact records requested, including pertinent dates or time periods. An Owner must include enough detail to allow the Association to find and retrieve the records requested. The Association is not obligated to respond to a request to inspect “all official records” unless the Owner also designates or identifies specific records being sought. Each request must specify the type of document being requested (i.e., letter, check, etc.) and the subject or topic area of that document (i.e. landscaping, financial services, the replacement of xyz, etc.). Each request is limited to ten items or categories. To the extent possible, the Association will work with the Owner to narrow and define the scope of such request. The timeframe to respond to a request does not start until all of the specific documents requested are identified by the Owner on the official records request form delivered to the Association during normal business hours.
- g. The Association will produce the official records as they are kept in the ordinary course of business, and the Association is under no obligation to segregate specific documents, compile, synthesize, or organize them in any way, or create records that do not exist in the Association’s ordinary course of business. The Association may, but is not required to, offer to make the records available electronically in a medium determined by the Association. If the requested records are available to Owners online, the Association will not additionally make such documents available for inspection or copying. All Owners may inspect, review, copy, and print all Association documents available online without notice to the Association.
- h. No more than one person (or two people if each is an Owner of the home) is permitted to inspect the official records at any one time, except that an attorney representing the requesting Owner may also attend the inspection.
- i. An Owner shall pay twenty-five cents per page for any copies of the official records made on the Association’s copy machine. An Owner shall pay the anticipated costs of copies at the time the copies are requested and shall be refunded any overage or pay any additional for copies at the time the records are delivered. An Owner may use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the Association providing the Owner or his or her authorized representative with a copy of such records. The Association will not charge an Owner or his or her authorized representative for the use of a portable device. Official records may not be removed from the location in which the records are being maintained. An Owner is not permitted to take files apart or otherwise move or relocate any document or page of the official records. An Owner shall also pay personnel costs not to exceed \$20/hr. to retrieve and copy the documents requested if the time to do so exceeds 30 minutes and the number of documents requested exceed 25 pages.
- j. During any inspection of official records, the Association is not required to answer any questions about the documents except those directly related to the location or copying of an official record.

- k. All persons inspecting or copying records shall conduct themselves in a businesslike manner. If an Owner or their authorized representative fails to conduct themselves in such a manner, becomes hostile or continuously asks questions of the Association representative (other than the specific location of records), the Association's representative may immediately terminate the inspection. Any such terminated inspection will be counted as one monthly inspection as provided in Paragraph e. above.
 - l. Emails are not held as part of the Association's official records due to specific attributes of email communication, such as their transient nature, potential for easy alteration, and the lack of formal authentication processes, which collectively render them unsuitable for inclusion within the Association's formal record-keeping framework. Consequently, emails do not fulfill the criteria necessary to be maintained as written, official records of the Association.
- II. These rules are effective for all requests to review/inspect official records received by the Association after the date provided above.
 - III. If any rule herein is to any extent ruled/held invalid, illegal, or incapable of being enforced, such rule shall be excluded to the extent of such invalidity, illegality, or unenforceability; all other rules hereof shall remain in full force and effect.
 - IV. All rules and resolutions in conflict herewith are repealed to the extent of such a conflict.

