## RESOLUTION ADOPTING A RECORDS PRODUCTION AND COPYING POLICY FOR

## Courtyard Homeowners Association, Inc.

WHEREAS Texas Property Code § 209.005(i) becomes effective January 1, 2012, requiring associations to file a records production and copying policy that prescribes the costs the Association will charge for compilation, production, and reproduction of information requested by a Member.

WHEREAS, failing the existence of such a policy, the Association shall be liable to compile and produce such records, but shall not be entitled to charge for same.

BE IT RESOLVED, that the following shall be the Association's policy for records production and copying:

Upon receipt of a proper request for information, by a proper party pursuant to Texas Property Code § 209.005(c), the Association shall make the records described by § 209.005 available pursuant to the terms thereof, within the time allotted therein, and shall otherwise comply with such provisions of Texas Property Code § 209.005, including the withholding of certain information described therein.

Further, the Association itself or by and through its agent or manager, shall charge as follows when it is required to produce records accordingly:

- a. \$25 per hour if clerical staff performs the compilation/production task.
- b. \$75 per hour if a manager performs the compilation/production task.
- c. The prevailing billing rate for an attorney, CPA, or other third party profession if they perform the compilation/production task.'
- d. A minimum hourly charge for compilation/production shall be two hours.
- e. \$.10 per photocopy.
- f. \$.50 per pdf or other image file.
- g. \$1.00 per CD or \$3.00 for DVD.
- h. The aforementioned amounts shall be increased annually by the Consumer Price Index for All Urban Consumers ("CPI-U") as published by the U.S. Bureau of Labor and Statistics (1967=100) starting January 2013, or its replacement index if publication of the CPI-U is discontinued.
- i. To the extent that the aforementioned charges may exceed those allowed by current or future law, the charges shall be reduced to the legal maximum limit.
- j. Members may be required to pay an estimated cost in advance of the compilation/production and copying process with a final reconciliation to be prepared after the compilation/production and copying is performed. Any costs over the amount prepaid by the member may be charged to the member's account as an assessment. Any overpayment by the member shall be promptly refunded.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective January 1, 2012.

Executed this the  $\frac{284}{}$  day of  $\frac{}{}$  day of  $\frac{}{}$  2011.

By:

Name:

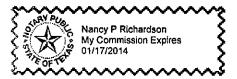
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Title:

STATE OF TEXAS

COUNTY OF MALLIA

This instrument was acknowledged before me on this the 25 day of Sulf, 2011, by USULA, ANATALISATION and for the Association, for the purposes therein expressed.



Notary Public, State of Texas

## **AFTER RECORDING PLEASE RETURN TO:**

Goodwin Management, Inc. 11149 Research Blvd., Suite100 Austin, Texas 78759