

BLACKHORSE RANCH HOMEOWNERS ASSOCIATION, INC.

BOOKS AND RECORDS PRODUCTION POLICY

20120000463
01/03/2012 RPI \$28.00

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Notice
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WHEREAS, the Blackhorse Ranch Homeowners Association, Inc. (the "Association"), a Texas non-profit corporation, which is governed by its Board of Directors (the "Board"), is the governing entity of the Blackhorse Ranch subdivision and authorized to enact this Policy; and

WHEREAS, this Books and Records Production Policy applies to the operation and utilization of property within the Blackhorse Ranch subdivision, an addition in Harris County, Texas, according to the following maps or plats thereof:

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Blackhorse Ranch, Section One, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number U508810, along with any replats or amendments thereto;

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Blackhorse Ranch, Section Two, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number U530935, along with any replats or amendments thereto

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Blackhorse Ranch South, Section One, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number W483544, along with any replats or amendments thereto;

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Blackhorse Ranch South, Section Two, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number W483558, along with any replats or amendments thereto

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Blackhorse Ranch South, Section Three, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number W483575, along with any replats or amendments thereto;

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Blackhorse Ranch South, Section Four, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number W521651, along with any replats or amendments thereto

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Blackhorse Ranch South, Section Five, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number Y221503, along with any replats or amendments thereto;

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Blackhorse Ranch South, Section Six, a subdivision in Harris County, Texas as set forth in the map or plat thereof recorded under County Clerk's File Number 20060188736, along with any replats or amendments thereto (all sections collectively referred to as the Subdivision"); and

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WHEREAS, Chapter 209 of the Texas Property Code was amended, effective January 1, 2012, to add Section 209.005, which requires the Association to adopt and record a policy regarding guidelines for production of Association Books and Records to owners and the Board of Directors of the Association desires to establish guidelines in compliance with Chapter 209.005 of the Texas Property Code; and

NOW THEREFORE, the Board of Directors of the Association hereby adopts the following Records Production Policy pursuant to Chapter 209 of the Texas Property Code and the authority granted to the Board by the provisions of the By-laws:

This Records Production Policy was approved by the Board of Directors for the Blackhorse Ranch Homeowners Association, Inc., on the 17 day of November, 2011, to be effective January 1, 2012.

I. Copies of Association Books and Records will be available to all Owners upon their proper request and at their own expense. A proper request:

- a. is sent certified mail to the Association's address as reflected in its most recent management certificate;
- b. is from an Owner, the Owner's agent, attorney, or certified public accountant; and
- c. contains sufficient detail to identify the Books and Records being requested.

II. Owners may request to inspect the Books and Records OR may request copies of specific Books and Records.

If the owner makes a request to *inspect* the Books and Records, then the Association will respond within **10 business days** of the request, providing the dates and times the Books and Records will be made available and the location of the Books and Records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents requested during the inspection upon the owner paying the Association the cost thereof.

If the owner makes a request for *copies of specific Books and Records*, the Association shall, within 10 days of the owner's request, send a response letter advising on the date that the requested copies will be made available (within **15 business days**) and the cost the owner must pay before the requested copies will be provided. Upon paying the cost of producing the requested copies, the Association shall provide the requested copies to the owner.

III. The Association hereby adopts the following schedule of costs:

<u>COPIES</u>	10 cents per page, for a regular 8.5" x 11" page 50 cents per page, for pages 11" x 17" or greater Actual cost, for specialty paper (color, photograph, map, etc...) \$1.00 for each CD or audio cassette and \$3.00 for each DVD
<u>LABOR</u>	\$15.00 per hour, actual time to locate, compile and reproduce the Books and Records (can only charge if request is greater than 50 pages in length)
<u>OVERHEAD</u>	20% of the total labor charge (can only charge if request is greater than 50 pages in length)
<u>MATERIALS</u>	actual costs of labels, boxes, folders, and other supplies used in producing the Books and Records, along with postage for mailing the Books and Records

IV. The Association hereby adopts the following form of response to Owners who request to inspect the Association Books and Records:

**BLACKHORSE RANCH HOMEOWNERS ASSOCIATION, INC.
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS**

April 11, 2012

Dear Homeowner:

On April 1, 2012, the Blackhorse Ranch Homeowners Association, Inc. received your request to inspect the books and records of the Association. The books and records of the Association can be made available for you to inspect on regular business days, between the hours of 9:00 a.m. and 5:00 p.m., at Crest Management Company, 17171 Park Row, Suite 310, Houston, Texas 77084.

Please contact the Association at 281-549-0761 to arrange for a mutually agreeable time for you to come and inspect the books and records. Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Very Truly Yours,
Blackhorse Ranch Homeowners Association, Inc.

V. The Association hereby adopts the following form of response to Owners who request copies of specific records:

**BLACKHORSE RANCH HOMEOWNERS ASSOCIATION, INC.
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS**

April 11, 2012

Dear Homeowner:

On April 1, 2012, the Blackhorse Ranch Homeowners Association, Inc. received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.

In order to obtain the records you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$_____. Upon receiving payment, the Association will mail the requested documents to you. You may also make arrangements to pick up the documents in person at Crest Management Company, 17171 Park Row, Suite 310, Houston, Texas 77084; 281-549-0761.

Very Truly Yours,
Blackhorse Ranch Homeowners Association, Inc.

VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to

