

RULES AND REGULATION GOVERNING UNIT OWNER INQUIRIES

INQUIRY DEFINED

An inquiry is a written request for information. A verbal request for information, an e-mail, a written request for documents or anything other than information shall not be deemed an inquiry.

PERSON ENTITLED TO MAKE AN INQUIRY

No unit owner shall have any right to make an inquiry, except as specifically permitted by law. Only unit owners of record (i.e., person whose name appears as a grantee on the deed conveying title to the unit) may submit an inquiry and no other person shall be permitted to make an inquiry.

MAKING AN INQUIRY

1. A unit owner of record desiring to make an inquiry shall submit a written request therefore to the Association. The inquiry must be mailed to the Association by certified mail to the Association's official mailing address. Any inquiry not mailed to the Association's official mailing address by certified mail shall be deemed null and void and shall not be deemed received and shall not be considered or responded to by the Association.

2. No unit owner shall submit more than one (1) inquiry in any thirty (30) day period. In the event more than one (1) inquiry is submitted within a thirty (30) day period, such additional inquiries shall be deemed null and void, shall not be deemed received and shall not be considered or responded to by the Association.

3. Unit owners shall not submit more than one (1) inquiry with respect to the same subject matter within three (3) months from the Association's receipt of a prior inquiry on that same subject matter. Any inquiry concerning the same subject matter previously received by the Association within three (3) months of a previous inquiry concerning that same subject matter shall be deemed null and void, shall not be deemed received and shall not be considered or responded to by the Association. If the unit owner is dissatisfied with the Association's substantive response, or disagrees with the substantive response, that will not be sufficient to obligate the Association to give an additional substantive response, or engage in an ongoing written debate with the unit owner regarding the matter.

RESPONDING TO AN INQUIRY

1. All responses from the Association shall be in writing, and shall be deemed delivered to the unit owner making the inquiry when deposited in the United States Mail, postage pre-paid, to the address of the unit owner, as listed in the official records of the Association,

2. Should any unit owner inquiry involve pending or potential litigation, matters subject to the attorney-client or work product privilege, matters which involve any other legally cognizable privilege, or matters whose confidentiality is protected, the Association shall so notify the unit owner and shall not provide a substantive response to the unit owner's inquiry.

3. The Association shall not be obligated to gather, create, digest, abstract, interpret, or analyze information or documentation, provide information to a unit owner, or respond to an inquiry, when a substantive response to an inquiry is available through an inspection of the

official records of the Association, or through inspection of public records. In such a case, the Association shall respond by notifying the unit owner that the official records of the Association, or the public records, may be inspected and copied, and identifying the official records of the Association, or public records, that may be inspected to provide a substantive response to the unit owner's inquiry.

4. The Association shall not respond to any inquiry, except as specifically required by law. The Association may give a substantive response to the inquirer, notify the inquirer that a legal opinion has been requested, notify the inquirer that advice has been requested from the Department of Business and Professional Regulation, or respond in any other manner now or hereafter permitted by law.

ENFORCEMENT OF INQUIRY RULES

1. No inquiry shall be made solely to harass another Unit owner or resident, the Association, or any Association officer, director, employee, or agent.

2. An inquiry not complying with the foregoing rules shall not be honored.

3. The Board of Directors, in accordance with the fining authority and procedures set forth in the association documents, may levy a fine against any person who fails to comply with these rules.

4. The Board of Directors may take whatever appropriate legal action is available against any person who fails to comply with these rules.

5. Nothing in these rules shall be construed as a limitation or restriction upon any of the Association's rights or remedies, or act as an election of remedies. All rights and remedies available to the Association shall be cumulative.

RULES REGARDING UNIT OWNER PARTICIPATION AT MEETINGS

BOARD AND COMMITTEE MEETING

I. Board and Committee Meetings Defined.

- A. Meeting of the Board of Directors" is hereby defined as a quorum of Directors gathered to discuss official Association business. The term "meeting" does not include gatherings of less than a quorum of Directors engaged in fact-finding investigations or legal inquiries to be used as a basis to inform the Board of Directors for action to be taken at a "meeting."
- B. "Meeting of a Committee" is hereby defined as a quorum of committee members gathered to discuss the official business of the committee as set forth in the resolution creating the committee. The term "meeting" does not include fact-finding investigations or legal inquiries by less than a quorum of committee members to be used as a basis to inform the committee for action to be taken at a committee meeting.
- C. The term "Committee" is hereby defined as a group of board members, unit owners, or board members and unit owners appointed by the board or a member of the board to make recommendations to the board regarding the association budget or take action on behalf of the board.

II. Attendance at Board Committee Meetings.

Every unit owner or his authorized representative shall have the right to attend Board of Directors and Committee meetings except as may be provided by law. No person other than a unit owner or his authorized representative accompanying such unit owner may be permitted to attend such meetings.

III. Participation at Meetings.

- A. Every unit owner or his authorized representative shall have the right to participate in meetings of the Board of Directors and Committees subject to the following rules.
- B. Statements by unit owners at meetings shall be restricted solely to items designated on the agenda of that meeting. No other statements shall be permitted except as may be authorized by the Board or Committee. A unit owner will be permitted to speak only in reference to the agenda item specified in the written request except as authorized by the Board or committee chairman. The unit owner's statement shall not exceed three minutes. The chairman of the meeting shall give the floor to any unit owner permitted to speak subsequent to the calling of the agenda item and prior to the discussion and vote of the Board or committee upon the agenda item.

- IV. Tape Recording or Videotaping of Meeting.
 - A. Any unit owner may tape record or videotape a Board committee meeting subject to the following rules.
 - B. No tape recording or videotaping of any meeting shall interfere with or obstruct the meeting and no equipment shall obstruct any unit owner's view, hearing or access to the meeting. No extra lighting shall be permitted and no accessory equipment shall be utilized. All equipment shall be located after the last row of seats that are occupied by members.

UNIT OWNER MEETINGS

- I. Unit Owner Meeting Defined.
 - A. "Meeting of the unit owners" is defined as a quorum of Unit owners gathered to discuss official Association business.
 - B. Every unit owner or his authorized representative shall have the right to attend meetings except as may be provided by law.
- II. Unit owners or their authorized representatives shall have the right to speak at meetings subject to the following rules.
 - A. Statements by unit owners or their authorized representatives at meetings shall be restricted solely to items designated on the agenda.
 - B. A unit owner will only be permitted to speak once for a period not to exceed three minutes on each agenda item unless otherwise authorized by the chairman of the meeting. The chairman of the meeting shall give the floor to the unit owner subsequent to the calling of the agenda item, but prior to the vote of the owners upon the agenda item.
- II. Tape Recording or Videotaping of Meeting.
 - A. Any unit owner may tape record or videotape a Board or 'committee meeting subject to the following rules.
 - B. No tape recording or videotaping of any meeting shall interfere with or obstruct the meeting and no equipment shall obstruct any unit owner's view, hearing or access to the meeting. No extra lighting shall be permitted and no accessory equipment shall be utilized.

ENFORCEMENT OF MEETING RULES

I. Ejection.

- A. Any person not authorized by law to attend a meeting shall be prohibited from attending the meeting or ejected therefrom,
- B. Any unit owner or authorized representative who fails to comply with these rules shall be subject to ejection in the sole discretion of the chairman. The chairman shall give any non-complying person one warning regarding ejection and thereafter may call for immediate ejection,
- C. The chairman of the meeting may appoint a sergeant of arms who at the direction of the chairman shall either remove the unauthorized person or contact a law enforcement representative to remove such person.

II. Fines.

The Board of Directors may levy a fine pursuant to Florida Law against any person who fails to comply with these rules.

III. Legal Action.

The Board of Directors may take whatever action which is appropriate at law or in equity against any person who fails to comply with these rules.

RULES AND REGULATIONS REGARDING INSPECTION
AND COPYING OF ASSOCIATION RECORDS

I. RECORDS DEFINED

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

II. PERSONS ENTITLED TO INSPECT OR COPY

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

III. INSPECTION AND COPYING

- A. Only a unit owner, or only a unit owner's authorized representative, desiring to inspect the Association's records shall submit a written request by certified mail to the Secretary or manager of the Association. The request must specify the particular record subject to inspection including pertinent dates or time-periods. The request must be sufficiently detailed to allow the Association to retrieve the exact records requested.
- B. Inspection or copying of records shall be limited to those records specifically requested.
- C. No unit owner or authorized representative shall submit more than one written request for inspection or copying of the same record.
- D. All inspection of records shall be conducted at the Association's office or at such other location designated by the Association. No unit owner or authorized representative shall remove original records from the location of inspection. No alteration of the original records shall be allowed.
- E. Records shall be made available for inspection by the Association on or before the fifth working day subsequent to actual receipt by the Association of the written request for inspection. This time frame maybe extended by written request of the unit owner or 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. The Association shall notify the unit owner or authorized representative, by telephone or in writing, that the records are available and the time, date and place for such inspection. Inspection shall be made only during normal Association business hours or normal business hours of the location of inspection if other than *the* Association; office. For the purposes herein the term "working day" shall mean Monday through Friday, exclusive

of federal, state and local holidays in which the office of the Association is closed. For purposes herein "normal business hours" shall be the hours that the office is customarily open. Records shall be made available for no more than eight (8) hours in a thirty (30) Day period.

- 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. Any written request shall designate the specific record or portion thereof. If the location of inspection has a copy machine, then copies of the record shall be available within five 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 time 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. Payment in advance of copying shall be required.

IV. MANNER OF INSPECTION

- A. No written request for inspection or copying shall be made in order to harass any unit owner, resident or Association agent, officer, director or employee.
- B. All persons inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operation of the Association office or office where the records are otherwise inspected or copied. The Association office, or office of inspection, may assign one staff person to assist in the inspection and all requests for further assistance and copying during inspection shall be directed to that staff person.
- C. The Association shall maintain a record detailing:
 - i. The date of written request for inspection
 - ii. The name of the requesting party
 - iii. The records which are requested
 - iv. The date of availability of records for inspection or copying
 - v. The date of actual inspection or copying
 - vi. The signature of the person inspecting or copying acknowledging receipt of the records. Every person inspecting or receiving copies of the record shall sign said receipt prior to inspection or receipt of copies.

V. ENFORCEMENT OF INSPECTION AND COPYING RULES

- A. 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 requests for inspection and copying not complying with these rules shall not

be honored. However the Association shall indicate in writing the nature of the non-compliance 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.