

Garden Oaks Maintenance Organization, Inc.  
**RECORDS PRODUCTION AND COPYING POLICY**

STATE OF TEXAS           §  
                                      §           KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS       §

WHEREAS, the Garden Oaks Maintenance Organization, Inc. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations"); and

WHEREAS, the Board of the Association ("Board") desires to establish a policy for the production of those records ("Records") which are required by law to be provided to members of the Association.

NOW, THEREFORE, the Board has duly adopted the following *Records Production and Copying Policy*.

1. Records shall be reasonably available to every owner. An owner may also provide access to Records to any other person (such as an attorney, CPA or agent) they designate in writing as their proxy for this purpose. To ensure a written proxy is actually from the owner, the owner must include a copy of his/her photo ID or have the proxy notarized.
2. An owner, or their proxy as described in Section 1, must submit a written request for access to or copies of the Records. The letter must:
  - a. be sent by certified mail to the Association's address as reflected in its most recent Management Certificate filed in the County public records; and
  - b. contain sufficient detail to identify the specific Records being requested; and
  - c. indicate whether the owner or proxy would like to inspect the Records before possibly obtaining copies or if the specified Records should be forwarded. If forwarded, the letter must indicate the format, delivery method and address:
    - (1) format: electronic files, compact disk or paper copies
    - (2) delivery method: email, cloud file sharing, certified mail or pick-up
3. Within ten (10) business days of receipt of the request specified in Section 2 above, the Association shall provide:
  - a. the requested Records, if copies were requested and any required advance payment has been made; or

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- b. a written notice that the Records are available and offer dates and times when the Records may be inspected by the owner or their proxy during normal business hours at the office of the Association; or
  - c. a written notice that the requested Records are available for delivery once a payment of the cost to produce the Records is made and stating the cost thereof; or
  - d. a written notice that a request for delivery does not contain sufficient information to specify the Records desired, the format, the delivery method and the delivery address; or
  - e. a written notice that the requested Records cannot be produced within ten (10) business days but will be available within fifteen (15) additional business days from the date of the notice and payment of the cost to produce the records is made and stating the cost thereof.
4. The following Records are not available for inspection by owners or their proxies:
- a. the financial records associated with an individual owner; and
  - b. deed restriction violation details for an individual owner; and
  - c. personal information, including contact information other than an address for an individual owner; and
  - d. attorney files and records in the possession of the attorney; and
  - e. attorney-client privileged information (including attorney invoices, subject to certain exceptions under the Texas Property Code) in the possession of the Association; and
  - f. building plans submitted by members in the course of obtaining approvals from GOMO.

The information in a, b and c above will be released if the Association receives express written approval from the owner whose records are the subject of the request for inspection.

5. Records may be maintained in paper format or in an electronic format. If a request is made to inspect the Records and certain Records are maintained in electronic format, the owner or their proxy will be given access to equipment to view the electronic records. The Association shall not be required to transfer

such electronic records to paper format unless the owner or their proxy agrees to pay the cost of producing such copies.

6. If an owner or their proxy inspecting the Records requests copies of certain Records during the inspection, the Association shall provide them promptly, if possible, but no later than ten (10) business days after the inspection or payment of costs, whichever is later.
7. The owner is responsible for all costs associated with a request under this Policy, including but not limited to copies, postage, supplies, labor, overhead and third party fees (such as archive document retrieval fees from off-site storage locations) as listed below for 2015. Fees are subject to adjustment based on the Urban Consumer Price Index (CPI) for January of the year of the request using the formula where CPI (2015) = 233.707:

$$\text{Adjusted Fee} = \text{CPI (Yr of Request)} / \text{CPI (2015)} * \text{Fee (2015)}$$

- a. black and white 8½" x 11" single sided copies ... \$0.10 each
  - b. black and white 8½" x 11" double sided copies ... \$0.20 each
  - c. black and white 11" x 17" single sided copies .. \$0.20 each
  - d. black and white greater than 11" x 17" single sided ... \$3.00 each
  - e. color 8½" x 11" single sided copies ... \$1.00 each
  - f. color 8½" x 11" double sided copies ... \$1.50 each
  - g. PDF images of 8½" x 11" documents ... \$0.10 per page
  - h. PDF images of 11" x 17" documents .. \$0.20 per page
  - i. PDF images of sizes greater than 11" x 17" ... \$2.00 each
  - j. compact disk ... \$1.00 each
  - k. labor and overhead ... \$25.00 per hour
  - l. mailing supplies ... \$1.00 per mailing
  - m. postage ... at cost
  - n. other supplies ... at cost
  - o. third party fees ... at cost
8. Any costs associated with a Records request must be paid in advance of delivery by the owner or their proxy. An owner who makes a request for Records and subsequently declines to accept delivery will be liable for payment of all costs under this policy. Advance payment is required because the Association has no mechanism for collecting unpaid balances short of legal action.
  9. On a case-by-case basis where an owner requests for Records is deemed to be minimal, the Association or its managing agent reserves the right to waive notice under Section 2 and/or fees under Section 7.



Return to: Barsalou & Associates, P.L.L.C.  
4635 Southwest Freeway  
Suite 580  
Houston, TX 77027  
713-652-5044

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# Pages 6  
07/21/2017 10:03 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$32.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

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