

**PASEO MASTER HOMEOWNER'S ASSOCIATION
RESOLUTION OF THE BOARD OF DIRECTORS
ADOPTING LIMITATIONS GOVERNING INSPECTION AND
COPYING OF ASSOCIATION RECORDS**

WHEREAS, Paseo Master Homeowner's Association, Inc. (the "Association") is a Florida not for profit corporation charged with the operation of Paseo Master, located in Lee County, Florida and governed by that certain Declaration of Covenants, Conditions, and Restrictions, originally recorded at Official Records INSTR #2006000338412 of the Public Records of Lee County, Florida, as amended (the "Declaration");

WHEREAS, Florida Statutes Section 720.303(5) states that the official records "shall be made available to a parcel owner for inspection or photocopying within 45 miles of the community or within the county in which the association is located within 10 business days after receipt by the board or its designee of a written request";

WHEREAS, Florida Statutes Section 720.303(5)(c) states, "The association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections, but may not require a parcel owner to demonstrate any proper purpose for the inspection, state any reason for the inspection, or limit a parcel owner's right to inspect records to less than one 8-hour business day per month"; and

WHEREAS, the Board of Directors wish to adopt a rule to regulate the frequency, time, location, notice, and manner of record inspections and copying of Official Records and adopts this rule in accordance therewith;

NOW THEREFORE BE IT RESOLVED by the Board of Directors of Paseo Master Homeowner's Association, Inc., that:

1. Records Defined. The official records, also referred to herein as "records," available for inspection are those designated by Florida Statute 720.303(5), as the official records of the Association.

1.1 Records Available. No records other than those defined above shall be available for inspection.

1.2 Persons Entitled to Inspect. Owners shall have the right to inspect the records of the Association as permitted by law. All references in this Resolution to Owner will include record title holders of a Unit or Lot or Owner's authorized representative, where applicable.

2. Inspection.

2.1 An Owner desiring to inspect records shall submit a written request by U.S. Mail or Certified U.S. Mail, Return Receipt Requested, therefore to the Association at the official address of the Association, pursuant to the most recent on-line records of the Florida Secretary of State, Division of Corporations. All records requests must be made in writing on the attached official forms numbered 1 through 6 (hereinafter referred to as "Form(s)" or "Form"). No request is valid until the Form(s) is/are completed in full and delivered to the Association office. A new Form must be completed for each new records request.

Requests by facsimile transmission, electronic mail (e-mail), hand-delivery, or other means do not comply with this Resolution. Verbal requests do not comply with this Resolution. The written request Form(s) must specify the records the Owner desires to inspect, including pertinent dates or time periods. The specification of the records must be sufficiently detailed to permit the Association to retrieve the exact records requested.

An Owner's inspection request shall be deemed received as follows: If sent by regular U.S. Mail, five days after the date of post-mark on the letter transmitting the request. If by U.S. Certified Mail, Return Receipt Requested, the date that the receipt card was signed for by the Association.

2.2 Inspection of records shall be restricted solely to those records designated in the written request Form(s) for inspection and shall be conducted solely by the Owner signing the inspection request, or his or her authorized representative. No inspection of any other records shall be permitted. If more than one Owner desires to inspect the same records, the Association may require that such inspections are conducted at different times provided that co-Owners may inspect records together. If an Owner has designated an authorized representative, either the Owner or the authorized representative may inspect the records; however, both parties may not inspect the records together. However, this shall not preclude an Owner from inspecting the records with the Owner's representative if such representative is a Certified Public Accountant licensed to practice in Florida, or an Attorney at Law, admitted to practice in Florida.

2.3 An Owner shall not submit more than two (2) written requests for inspection of records per calendar month. Any request submitted more frequently shall be deemed to have been received on the first day of the following calendar month. Each request permitted under this section shall be limited to the request of three (3) specific categories of official records, it being the intent that an Owner shall be limited to six (6) requests per calendar month (two (2) requests per month with three (3) categories per request). By example, a single request such as "all correspondence, corresponding photographs, and financial records related to the contract" will be deemed as three (3) specific category requests. Any Owner requesting a composite request such as "all documents relative to" shall hereby be on notice that this type of request is vague and ambiguous, and the Association does not categorize documents in this manner. The same records may not be requested more than one (1) time within the previous twelve (12) calendar months.

2.4 Inspections of records shall be conducted at the office where the Association's records are maintained or at such other location as may be designated by the Association. Records must be made available for inspection in Lee County or within forty-five (45) miles of the Association property. No Owner shall remove original records from the location where the records are inspected. No marks or alterations shall be made on original records.

2.5 Records shall generally be made available for inspection by the Association on or before the tenth (10th) working day pursuant to Florida Statute Section 720.303(5)(a) after receipt by the Association of the written request Form(s) for inspection. This time frame may be extended upon agreement of the Owner or for good cause. In addition, this time frame shall be extended in the event the records are so voluminous, or otherwise in such condition as to render this time frame unreasonable. In any case, the Association shall always use its best efforts to make records available for inspection by the tenth (10th) working day after receipt of the request, and the failure to do so shall create a rebuttable presumption that the Association has violated the provisions of this Resolution. The Association may rebut the presumption by obtaining an opinion from legal counsel that the Association has, under the circumstances, attempted to address the Owner's records inspection request promptly and in good faith. The Association shall notify the Owner by telephone or in writing (including e-mail), 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 during the normal business hours of the location of inspection if other than the Association office. For the purposes herein, "working day" shall mean Monday through Friday, exclusive of federal, state and local holidays in which the office of the Association or office where the records are being made available for inspection is closed. For purposes herein, "normal business hours" shall be the hours the Association office is customarily open, or the hours the location where the records are to be inspected is customarily open, or if there are no customary hours of operation, then 9:00A.M. to 12:00 P.M. and 1:00 P.M. to 5:00P.M., all on a working day. No Owner shall be entitled to inspect records for more than eight (8) hours cumulatively in any calendar month. At the request of either the Association or the Owner, inspections may be broken up into segments, provided that three (3) inspection

visits per calendar month shall be the maximum number of sessions in a calendar month, and eight (8) hours per calendar month shall be the maximum cumulative inspection time in a calendar month.

2.6 If, at, or after inspection, an Owner desires to have a copy of a record, the Owner shall designate in a separate writing, which record, or portion thereof, for which a copy is desired, or, in the alternative, shall designate such record by use of a clip or tab upon the page(s) desired. Not more than one (1) copy of each record requested shall be provided. If the location where the records are being inspected or stored has a copy machine capable of making copies of the records designated, and the Owner has requested copying of 25 or less pages of records, then copies of the records shall be available contemporaneously with the inspection. If, however, the records to be copied exceed 25 pages, or there is no copy machine at the location where the records are being inspected or stored capable of making copies of the records designated, the Association may send the records out for copying by an outside source, such as a commercial copying company or make the copies at the location of the records, but available for later pick-up. If copied at the location where the records are kept, copies more than 25 pages shall be made available for pick-up by 5:00P.M. within three (3) working days from the date of the inspection, the day of inspection not counting in calculating this deadline. Copies made by an outside source shall be available as soon as a copying service can reasonably pick-up, copy and return the records to the location where the records are being inspected or stored. Photocopies will be available at the place records are kept or produced for inspection. Owners requesting copies must arrange for pick-up of records. The Association shall have no obligation to mail or otherwise deliver copies to any place.

2.7 The Association shall allow an Owner to 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's providing the Owner with a copy of such records. The Association may not charge an Owner for the use of a portable device.

2.8 An Owner shall pay the reasonable expense of copying. In the event the copies are made by the Association, the cost shall be twenty-five cents (\$0.25) per page in addition to the costs of copying, the Owner shall pay a reasonable fee, not to exceed \$20.00 per hour, if the personnel time spent retrieving and copying the records exceeds one-half hour. If copies are made by outside vendors, actual costs shall be charged to the Owner. Payment in advance for the cost of copies shall be required. No copy of a record shall be made unless and until payment for the copy is received.

2.9 If records are kept on computer format, the Association may print such records to paper. The Association may but shall not be obligated to allow Owners to access the Association's computer system. If the Association provides access to records through a computer supplied by the Association or the office in which records access is being conducted, the person inspecting the records shall not e-mail the records inspected to any other computer, person, or e-mail account, review other content or programs on said computer, nor otherwise in any fashion download, forward, or otherwise transmit or manipulate the data he or she reads during the inspection of the records by review on electronic mail, internet or computerized format.

2.10 The Association may comply with its obligation to make records available for inspection by providing them to the Owner by electronic mail, the internet, or making them available in a computerized format readable with customary programs used in computers of consumers. If, however, an Owner provides the Association with written notice that they do not have access to a computer, the Association must supply the records in paper format.

3. Manner of Inspection

3.1 For purposes hereof, an Owner and the Owner's authorized representative shall be considered one person. If inspection is requested by any person other than a record Owner of the Unit or Lot, said request shall not be recognized by Association unless and until the record Owners designate such person, in writing,

as their authorized representative, or unless such person is an Attorney at Law admitted to practice in the State of Florida.

3.2 All persons inspecting or requesting copies of records shall conduct themselves in a courteous manner and shall not interfere with the normal operation of the Association office and the duties of their personnel, or the office where the records are otherwise inspected or copied, nor the duties of their personnel. The Association office, or office of inspection, may assign a staff person or other person to assist in the inspection and all requests for further assistance and copying during inspection shall be directed to that staff person.

4. Enforcement of Inspection Rules

4.1 Any violation of the Resolution may result in the immediate suspension of the inspection until the violator agrees in writing to comply herewith.

4.2 Any requests for inspection not complying with this Rule need not be honored, but in such cases the Association shall mail, or hand deliver a written response to the person requesting inspection and shall indicate how the request fails to comply herewith.

4.3 The Board of Directors may take whatever appropriate legal action is available against any person who fails to comply with this Resolution, including but not limited to the levy of fines or suspension of use rights subject to the requirements of law.

4.4 Nothing in this Resolution 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.

4.5 The President of the Association, or the Manager (under the direction of the President), shall have the authority to interpret and implement the provisions of this Resolution and make decisions and judgments arising hereunder without need for Board approval on a case-by-case basis.


This Resolution shall be effective upon the date approved by the Board of Directors.

IN WITNESS WHEREOF, the undersigned has hereunto affixed a hand and the seal of the Association this 21 day of September, 2023 and this resolution shall be effective on an even date herewith.

PASEO MASTER HOMEOWNER'S
ASSOCIATION, INC.
A Florida not-for-profit corporation

By:  _____, its President

Attestation

By:  _____
Name: Rosa Nieves
Title: General Manager

FORM 1

PASEO MASTER HOMEOWNER'S ASSOCIATION, INC. OFFICIAL RECORDS REQUEST OWNER'S AUTHORIZED REPRESENTATIVE FORM

The undersigned owner and member of Paseo Master Homeowner's Association, Inc., hereby designates the following named person to act as my authorized representative to inspect and copy the official records of the Association:

1. Date of Written Request to Inspect Records: _____.
2. Records Inspection Scheduled For: _____.
3. Name of Authorized Representative: _____.
4. Telephone number of Authorized Representative: _____.
5. Address of Authorized Representative: _____.

Owner/Member:

Name: _____.

Signature: _____.

Date: _____.

Only one (1) representative may be named at a time. The authorization is only valid for the Records Request listed in item 1 above. A new form must be completed for each new records request. No authorization is valid unless and until this form is completed in full. This form must be submitted at least forty-eight (48) hours in advance of the scheduled inspection.

FORM 2

**PASEO MASTER HOMEOWNER'S ASSOCIATION, INC.
OFFICIAL RECORDS INSPECTION REQUEST FORM**

I, the undersigned owner and member of Paseo Master Homeowner's Association, Inc., request to inspect the following listed Official Records of the Association:

Official Record	Date of Official Record
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

Date of this Request: _____ Date of My Last Request: _____

Name of Owner/Member Making Request: _____

Signature of Owner/Member Making Request: _____

Mailing Address of Owner/Member: _____

Only two (2) requests may be made per calendar month. The same records may not be requested more than one (1) time within the previous twelve (12) calendar months. No request is valid unless made in writing using this Form. No request is valid until this Form is completed in full. A new Form must be completed for each new records request. All requests must be mailed via United States Mail or hand delivered to: Paseo Master Homeowner's Association, Inc. 11611 Paseo Grande Blvd., Ft. Myers, FL 33912.

FORM 3

**PASEO MASTER HOMEOWNER'S ASSOCIATION, INC.
OFFICIAL RECORDS COPYING REQUEST FORM**

I, the undersigned owner and member of Paseo Master Homeowner's Association, Inc., request the following listed official records of the Association be copied:

Official Record	Date of Official Record
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

Date of this Request: _____.

Name of Owner/Member: _____.

Signature of Owner/Member: _____.

Owner/Member Mailing Address and Telephone Number: _____

Cost of Copies is \$0.25 per page. Payment due upon delivery of official records.

FORM 4

**PASEO MASTER HOMEOWNER’S ASSOCIATION, INC.
OFFICIAL RECORDS REQUEST INTAKE LOG**

Date of Request/ Date Received	Owner/Member Making Request	Response to Request Sent/ Sender’s Initials
1. ____ / ____	_____	_____
2. ____ / ____	_____	_____
3. ____ / ____	_____	_____
4. ____ / ____	_____	_____
5. ____ / ____	_____	_____
6. ____ / ____	_____	_____
7. ____ / ____	_____	_____
8. ____ / ____	_____	_____
9. ____ / ____	_____	_____
10. ____ / ____	_____	_____
11. ____ / ____	_____	_____
12. ____ / ____	_____	_____
13. ____ / ____	_____	_____
14. ____ / ____	_____	_____
15. ____ / ____	_____	_____

FORM 5

**PASEO MASTER HOMEOWNER'S ASSOCIATION, INC.
OFFICIAL RECORDS INSPECTION REQUEST RESPONSE FORM**

Date: _____

Dear _____:

We are in receipt of your request to inspect the Official Records of the Association dated _____ but actually received on _____. Thank you. In response to your request please see the blank checked below:

_____ The Official Records you have requested are available for your inspection at the offices of Paseo Master Homeowner's Association, Inc., located at 11611 Paseo Grande Blvd., Fort Myers, Florida 33912. Please call the property manager _____ at (239) _____ to schedule a convenient time to inspect the records. If you wish to make copies of the records you inspect you must pay \$0.25 per page. Payment is due upon delivery of the records.

_____ Pursuant to the Records Request Policy of the Association your request has been denied for the following reason/s:

Very truly:
Paseo Master Homeowner's Association, Inc.

FORM 6

**PASEO MASTER HOMEOWNER'S ASSOCIATION, INC.
OFFICIAL RECORDS INSPECTION SCHEDULING TELEPHONE LOG**

Date of Request/
Date of Telephone
Conversation

Owner/Member

Inspection Date

1. ____ / ____

2. ____ / ____

3. ____ / ____

4. ____ / ____

5. ____ / ____

6. ____ / ____

7. ____ / ____

8. ____ / ____

9. ____ / ____

10. ____ / ____

11. ____ / ____

12. ____ / ____
