

**VACATION INN RESORT OF THE PALM BEACHES, INC.  
RULES AND REGULATIONS  
ADOPTED DECEMBER 12, 2024**

---

**OFFICIAL RECORDS RETENTION, INSPECTION, AND COPYING**

These Rules and Regulations regarding Official Records Retention, Inspection, and Copying (these “Rules”) set forth the policy by which the official records of Vacation Inn Resort of the Palm Beaches, Inc. (the “Association”) are to be retained and the time period such records must be retained in accordance with section 720.303(4), Florida Statutes, and shall govern official records requests, inspection, and copying in accordance with section 720.303(5), Florida Statutes.

1. **Definitions.** Unless otherwise defined herein, all initially capitalized terms shall have the same meaning as set forth in the Amended and Restated Declaration of Protective Covenants, recorded in the Official Records of Palm Beach County, Florida in Official Records Book 27460, Page 1410, as amended from time to time.
  
2. **Official Records.** The following items, in physical format (including, without limitation, original documents, hardcopy reproductions, and handwritten documents) and/or electronic format (including, without limitation, e-mails, web files, text files, sound and movie files, PDF documents, and Microsoft Office files), shall constitute the official records of the Association to be maintained by the Association in accordance with these Rules:
  - a. Copies of any plans, specifications, permits, and warranties related to improvements constructed on the Common Area.
  - b. A copy of the Governing Documents.
  - c. The minutes of all meetings of the Board and of the Members.
  - d. A current roster of all Members and their Lot identifications, designated mailing addresses, and designated e-mail addresses and facsimile numbers of those members consenting to receive notice by electronic transmission.
  - e. A copy of all the Association’s insurance policies.
  - f. A current copy of all contracts to which the Association is a party.
  - g. Bids received by the Association for work to be performed.
  - h. The financial and accounting records of the Association, kept according to good accounting practices, including: (i) accurate, itemized, and detailed records of all receipts and expenditures; (ii) a current account and a periodic statement of the account for each Member, designating their name and current address, the due date and amount of each Assessment or other charge against the Member, the

date and amount of each payment on the account, and the balance due; (iii) all tax returns, financial statements, and financial reports of the Association; and (iv) any other records that identify, measure, record, or communicate financial information.

- i. A copy of the disclosure summary described in section 720.401(1), Florida Statutes.
  - j. Ballots, sign-in sheets, proxies, and all other papers and electronic records relating to voting by Members.
  - k. All affirmative acknowledgments made pursuant to section 720.3085(3)(c)3, Florida Statutes, if any.
  - l. All other written records of the Association which are related to the operation of the Association.
3. **Custodian.** The Association's manager shall be the custodian of the Association's official records.
  4. **Storage.** Official records maintained in physical format shall be stored in a secure location within an Association building, and consideration shall be given to the storage system to be utilized, including, for example and without limitation, document storage that provides reasonable protection from fire and water damage. Official records maintained in electronic format shall be stored on a secure, centralized digital depository, including, for example and without limitation, a cloud-based service or local server, as determined by the Board.
  5. **Retention Period.** The Association shall retain its official records for the following periods or for such time periods as provided in section 720.303(4)(a), Florida Statutes, as amended from time to time, whichever is greater:
    - a. Bids received by the Association for work to be performed shall be retained for one (1) year from the date of receipt of the bid.
    - b. Ballots, sign-in sheets, proxies, and all other papers and electronic records relating to voting by Members shall be retained for one (1) year after the date of the election, vote, or meeting.
    - c. Each director's educational certificate shall be retained for five (5) years after the director's election.
    - d. Copies of any plans, specifications, permits, and warranties related to improvements constructed on the Common Area shall be retained for so long as such improvements shall exist on the Common Area; provided that such records shall be retained for at least seven (7) years from the date of receipt of same.
    - e. A copy of the Governing Documents shall be permanently maintained from the inception of the Association.

- f. All other official records shall be retained for seven (7) years from the date of receipt or creation of same.
6. **Disposal.** Upon expiration of the retention period, expired official records may, at the Board's sole discretion, be disposed of or destroyed in such manner as the Board deems appropriate under the circumstances. Notwithstanding the foregoing, if the Association is served with a subpoena duces tecum, is under governmental investigation or audit, or is under or aware of any pending litigation, the Association shall suspend all official records disposal activities, until the conclusion of the proceedings at which time disposal activities may continue.
  7. **Access to Official Records.** The official records of the Association shall be made available to a member, or the authorized representative of such member as the member may designate in writing to the Association, for inspection and copying in the manner set out in these Rules within ten (10) business days of receipt by the Association of a written request made in accordance with these Rules; provided, however, the following official records are not accessible to members, or the authorized representative of such members, in accordance with section 720.303(5)(g), Florida Statutes, as amended from time to time:
    - a. Any record protected by the lawyer-client privilege as described in section 90.502, Florida Statutes, and any record protected by the work-product privilege, including, but not limited to, any record prepared by the Association's attorney or prepared at the Association's attorney's express direction which reflects a mental impression, conclusion, litigation strategy or legal theory of the attorney or the Association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.
    - b. Information obtained by the Association in connection with the approval of the lease, sale, or other transfer of a Lot.
    - c. Personnel records of the Association or management company employees, including, but not limited to, disciplinary, payroll, health and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an Association or management company employee or budgetary or financial records that indicate the compensation paid to an Association or management company employee.
    - d. Medical records of Members or community occupants.
    - e. Social security numbers, driver license numbers, credit card numbers, electronic mailing addresses, telephone numbers, facsimile numbers, emergency contact information, any addresses for a Member other than as provided for Association notice requirements, and other personal identifying information of any person, excluding the person's name, Lot designation, mailing address, and property address. Notwithstanding these restrictions, the Association may print and

distribute to Members a directory containing the name, Lot address, and all telephone numbers of each Member. However, a Member may exclude his/her telephone numbers from the directory by so requesting in writing to the Association. The Association is not liable for the disclosure of any of the foregoing protected information if the information is included in an official record of the Association and is voluntarily provided by a Member and not requested by the Association.

- f. Any electronic security measure that is used by the Association to safeguard data, including passwords.
- g. The software and operating system used by the Association which allows the manipulation of data, even if the Member owns a copy of the same software used by the Association.
- h. All affirmative acknowledgments made pursuant to section 720.3085(3)(c)3., Florida Statutes.

8. **Request.** All requests to inspect and/or copy the Association's official records must be provided to the Association in writing on the enclosed form and must be sent to the Association at 6500 North Military Trail, West Palm Beach, Florida 33407, by certified mail, return receipt requested. All requests received in any other manner will be disregarded and shall in no way obligate the Association to allow such Member, or authorized representative of such Member, to inspect or copy the Association's official records.

- a. Requests should be described with sufficient specificity as to allow the Association to locate the requested official record(s). Notwithstanding, the Association shall not be obligated to identify and retrieve requested official records.
- b. Wherever possible, the request should specify pertinent dates and/or time periods for the requested official records.
- c. Please indicate, as may be applicable, which requested official records you wish to be photocopied and include a check made payable to the Association in the total amount as determined by Rule 11, Rule 12, and Rule 13 of these Rules.
- d. Requests for inspection and/or copying of the Association's official records may, in the Board's sole and unfettered discretion, be referred to the Association's legal counsel for assistance.
- e. The Association shall not research the official records. For example, a request to "provide the maintenance bills for the five most expensive months during the past three years" is not acceptable. Whereas, a request to "inspect all maintenance bills for the past three years" is acceptable.

- f. The Association shall not be required to deliver records to a Member in any particular form. No document or report will be created in a format other than that document or report as kept in the ordinary course of business.
9. **Frequency and Duration.** In accordance with section 720.303(5)(c), Florida Statutes, as amended from time to time, a Member, or a Member's authorized representative, is entitled to at least one (1), eight (8) hour inspection of the Association's official records per month.
10. **Location.** The Association shall designate, from time to time, a location for the inspection and or copying of the official records. In any event, the Association's official records shall be made available for inspection and/or copying at a location within forty-five (45) miles of the Luxury RV Resort or within the County.
11. **Vendor Fees.** In the event official records of the Association are maintained by or are in the possession of a third-party vendor from whom the Association must obtain such official records from in order to satisfy the request of a Member, any fees charged by the third-party vendor shall be invoiced to the requesting Member and paid by the requesting Member before the records are ordered from the vendor.
12. **Photocopying Costs.**
- a. In the event the Association has a photocopy machine available where the official records are maintained, the Association shall provide the requesting Member with copies, upon the Member's request, during the Member's inspection if the entire request is limited to no more than twenty-five (25) pages. If the official records requested to be copied exceed twenty-five (25) pages in length, the Association shall charge twenty-five cents (\$0.25) per page for copies made on the Association's photocopier.
- b. In the event the Association does not have a photocopy machine available where the official records are kept, or if the official records requested to be copied exceed twenty-five (25) pages in length, the Association may, in its sole and unfettered discretion, have copies made by an outside duplicating service and shall charge the actual cost of copying, as evidenced by the vendor invoice.
- c. A Member, or the Member's authorized representative, may 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, free of charge, in lieu of the Association's providing the Member, or the Member's authorized representative, with a copy of such records.
13. **Personnel Costs and Attorneys' Fees.** In the event the time spent retrieving and/or copying the requested official records exceeds thirty (30) minutes, the requesting Member shall pay personnel costs not to exceed twenty dollars (\$20.00) per hour. Personnel costs shall not be charged for official records requests that result in the copying of a total of twenty-five (25) or fewer pages. In the Association's sole discretion, if the Association deems it necessary to have the Association's attorney present during the inspection due

to the nature of the request or the official records requested, then the requesting Member shall be responsible to pay the estimated attorneys' fees prior to such Member's inspection of the official records, unless otherwise prohibited by prevailing law.

**14. Conduct of Inspection and/or Copying.**

- a. A Member, or a Member's authorized representative, shall only inspect the Association's official records on a business day during normal business hours. The Association shall provide date and time options for the inspection of the requested official records to the requesting Member from which the Member may select.
- b. The inspection and/or copying of the Association's official records shall be limited to those official records requested in advance and in writing.
- c. The Association shall not be required to interpret any document found within the official records and shall not be obligated to answer questions during the course of the inspection of the official records.
- d. No portion of the Association's official records shall be removed by a Member, or authorized representative of a Member, from the location of the inspection, unless such records were provided to the Member as a requested copy.
- e. No Member, or authorized representative of a Member, shall mark, write upon, or otherwise alter any portion of the official records of the Association.
- f. In the event the conduct of a Member, or the Member's authorized representative, becomes inappropriate during the inspection of the Association's official records, the inspection shall be immediately terminated.

