

Georgetown Village Condominium

ADMINISTRATIVE RESOLUTION NO. 19-01

DISCLOSURE OF INFORMATION IN THE BOOKS AND RECORDS OF THE ASSOCIATION

WHEREAS, the Bylaws of Georgetown Village Condominium ("the Association"), Article III, Section 2, assigns to the Board of Directors the powers and duties necessary for the administration of the Association;

WHEREAS, Section 11-116 of the Maryland Condominium Act provides that the Council of Unit Owners shall keep books and records in accordance with good accounting practices on a consistent basis, and specifies the rights of unit owners to inspect records of the Association and the limitations thereon;

WHEREAS, the Bylaws of Georgetown Village Condominium, Article VI, Section 3, provides that "each Unit Owner and each mortgagee of a Unit shall be permitted to examine the books of account of the Association at reasonable times on business days" and Article IX, provides that "The Board of Directors or the managing agent shall keep books and records in accordance with good accounting practices on a consistent basis . . . Every record, including the audit, of the Council of Unit Owners shall be available in accordance with the Act and these Bylaws for examination and copying by any Unit owner, his mortgagee, and their respective duly authorized agents or attorneys, during normal business hours and after reasonable notice"; and

WHEREAS, the Board of Directors has chosen to establish procedures for the orderly processing of requests for information contained in the books and records maintained by or under the control of the Association;

NOW THEREFORE BE IT RESOLVED, that the following procedures are adopted for use by the Association.

A. General Policy

1. It is the policy of the Association to operate as openly as possible with respect to its unit owners, in full compliance with applicable law and governing documents, and to the fullest extent possible without creating an undue risk to the Association.
2. Documents available under Section 11-116 of the Maryland Condominium Act are directly available only to the persons specified therein. Section 11-116(c) provides that records shall be made available for inspection by "any unit owner, a unit owner's mortgagee, or their respective duly authorized agents or attorneys."

3. The Association is authorized by law to require those persons to whom documents are released to limit their further distribution to only those persons to whom direct release would be authorized under Section 11-116(c).

4. However, as a matter of policy, and without waiving any of its rights under the law, to facilitate the fullest possible review and evaluation of the documents by unit owners, the Association will not generally impose such limitations since there is usually minimal or no risk of harm to the Association from further release. The Association will impose such limitation only on a case-specific basis where the On-Site Manager determines that release of the document to persons other than those specifically provided for in Section 11-116(c) poses an undue risk of harm to the Association.

5. The Association will not generally make available for inspection or release documents specifically exempted from disclosure by Section 11-116(c)(3).

B. General Matters

1. Requests by unit owners to inspect documents, correspondence, books and records, including financial records (hereafter collectively referred to as "documents") of the Association shall apply only to those documents maintained by the Association and/or its agents, in the ordinary course of business of the Association.

2. Information and/or documents not maintained in the ordinary course of business, or not in specific formats requested by a unit owner, will be provided only at the discretion of the On-Site Manager.

3. As provided in Section 11-116(c)(3)(v), written advice of legal counsel may be withheld at the discretion of the Association. In the interest of preserving any attorney-client privileges of the Association, copies of any documents related to ongoing litigation, including copies of pleadings, may be made available for inspection by unit owners only after receiving clearance to do so by the Association's attorney.

C. Requesting Documents

1. Authorized persons seeking inspection of documents must submit a request in writing to the On-Site Manager describing in as much detail as possible the nature of the document(s) to be inspected. The On-Site Manager will attempt to ascertain and identify the item(s) requested for inspection, and arrange a mutually agreeable date and time at which the item(s) will be produced. Requested documents shall be made available for inspection during normal business hours, at the Association's On-Site Management Office.

2. Upon receipt of a written request to inspect any documents, the On-Site Manager, in consultation with the President as needed, will determine whether the release of the documents for inspection or copying should be conditioned on a written commitment signed by the requestor that they will limit their further distribution to only those persons to whom direct

release would be authorized under Section 11-116(c). This limitation will only be imposed where the On-Site Manager determines that release of the documents to persons other than those specifically provided for in Section 11-116(c) poses an undue risk of harm to the Association. In cases where the On-Site Manager determines that this limitation is appropriate, this will be discussed with the requestor before it is imposed.

3. Authorized persons seeking copies of documents shall be charged a reasonable charge for copying as determined by the Board of Directors in accordance with Section 11-116(d).

4. The person requesting any information is solely responsible for any legal liability or damages arising from or relating to their use of the information. The Association assumes no liability or responsibility for the manner in which the information is used by the person to whom it is provided.

D. Revocation of Prior Administrative Resolutions and Effective Date

Administrative Resolutions 94-02 and 95-01 are revoked, and this Administrative Resolution 19-01 is adopted, effective immediately.

Adopted by the Board of Directors

October 16, 2019