

EXHIBIT A

RECORDS PRODUCTION AND COPYING POLICY

WHEREAS, Hannah Heights Homeowners Association, Inc. (the “**Association**”) is charged with administering and enforcing that certain Declaration of Covenants, Conditions and Restrictions for Hannah Heights recorded on August 10, 2020 as Document No. 202099021206 of the Official Public Records of Real Property of Guadalupe County, Texas (the “**Declaration**”);

WHEREAS, Texas Property Code Section 209.005 has been amended to add Subsection (i), effective January 1, 2012;

WHEREAS, Texas Property Code Section 209.005(i) requires that the Association’s Board of Directors (the “**Board**”) adopt and record a records production and copying policy that prescribes the costs the Association will charge for compilation, production, and reproduction of information requested under Texas Property Code Section 209.005; and

WHEREAS, the Board desires to adopt and record a policy in accordance with Texas Property Code Section 209.005(i).

NOW, THEREFORE, the Board has duly adopted the following Records Production and Copying Policy (the “**Policy**”):

1. For purposes of this Policy, the term “**Records**” refers to all books and records of the Association, including financial records, as described in Texas Property Code Section 209.005.
2. Records shall be open to and reasonably available for examination by every owner of a lot within the subdivision, or a person designated as the owner’s agent, attorney, or certified public accountant in a writing signed by the owner. Such signed writings must be submitted to the Association. For purposes of this Policy, the term “**Owner**” shall include the owner of the lot and his or her designated representative.
3. An Owner must submit a written request for access to or copies of the Records. The request must:
 - a. be sent by certified mail to the Association’s mailing 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. state whether the Owner wants to:
 - i. inspect the Records before obtaining copies (the “**Inspection Option**”); or

- ii. have the Association forward copies of Records (the “**Copy Option**”).
4. If the Inspection Method is elected, then on or before the 10th business day after the date the Association receives the request, the Association shall send the Owner written notice of dates during normal business hours that the Owner may inspect the requested Records.
5. If the Copy Method is elected, then on or before the 10th business day after the date the Association receives the request, the Association shall produce the Records to the Owner except as provided herein.
6. If the Association is unable to produce the requested Records on or before the 10th business day, then the Association shall provide written notice to the requestor that: (1) informs the requestor that it is unable to produce the information on or before the 10th business day after the date the Association received the request; and (2) states a date by which the requested Records will be sent to or made available for inspection to the Owner within 15 additional business days from the date of the notice. During the inspection, the Owner may select the Records that he/she wants copied.
7. If the Owner wants copies of Records, then the Association may require an advance payment from the Owner of the estimated costs of compilation, production and reproduction of the requested Records. If the estimated costs are lesser or greater than the actual costs, then the Association shall submit a final invoice to the Owner on or before the 30th business day after the date the Records are delivered. If the final invoice includes additional amounts due from the Owner, then the additional amounts, if not reimbursed to the Association before the 30th business day after the date the invoice is sent to the Owner, may be added to the owner’s account as an assessment. If the estimated costs exceeded the final invoice amount, then the Owner is entitled to a refund, and the refund shall be issued to the Owner not later the 30th business day after the day the date the invoice is sent to the Owner.
8. The Association may charge the Owner all reasonable costs of materials, labor, and overhead for the compilation, production, and reproduction of the requested Records. Those costs are set forth herein and are subject to periodic reevaluation and update. The costs shall not exceed those that would be applicable pursuant to Texas Administrative Code Title 1, Section 70.3. The costs are as follows:
 - a. Copy charges.
 - i. Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$0.10 per page or part of a page. Each side that has recorded information is considered a page.

- ii. Nonstandard copy. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:
- Diskette—\$1.00;
 - Magnetic tape—actual cost;
 - Data cartridge—actual cost;
 - Tape cartridge—actual cost;
 - Rewritable CD (CD-RW)—\$1.00;
 - Non-rewritable CD (CD-R)—\$1.00;
 - Digital video disc (DVD)—\$3.00;
 - JAZ drive—actual cost;
 - Other electronic media—actual cost;
 - VHS video cassette—\$2.50;
 - Audio cassette—\$1.00;
 - Oversize paper copy (e.g.: 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper)—\$.50;
 - Specialty paper (e.g., mylar, blueprint, blueline, map, photographic)—actual cost.
- b. Labor charges for locating, compiling, manipulating data, and reproducing information.
- i. The charge for labor and overhead costs incurred in processing a request is \$18.00 per hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.
 - ii. A labor charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in two or more separate buildings that are not physically connected with each other or a remote storage facility.
- c. Remote document retrieval charges.
- i. The charge for labor and overhead costs incurred in retrieving a document is \$18.00 per hour if performed by the Association.
 - ii. There is a \$35.00 charge for the private company retrievals. If after delivery to the Association offices, the boxes must still be searched for records that are responsive to the request, a labor and overhead charge of \$18.00 an hour will be charged.

- d. Miscellaneous supplies. The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for information.
 - e. Postal and shipping charges. The Association may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the owner.
 - f. Credit card charges. If the Association accepts payment by credit card for copies of information and is charged a “**transaction fee**” by the credit card company, then the Association may recover that fee.
9. Except as provided by Texas Property Code Section 209.005(l), the following Records are not required to be released or made available for inspection:
- a. the dedicatory instrument violation history of an Owner;
 - b. an Owner’s personal financial information, including records of payment or non-payment of amounts due the Association;
 - c. an Owner’s contact information, other than the Owner’s address;
 - d. information related to an employee of the Association;
 - e. attorney files and records in the possession of the attorney; and
 - f. documents that constitute attorney work product and attorney-client privileged information in the possession of the Association.
10. Association Records may be maintained in paper format or in an electronic format. If a request is made to inspect Records and certain Records are maintained in electronic format, then the Owner will be given access to equipment necessary to view the Records in electronic format. The Association shall not be required to transfer such electronic records to paper format unless the Owner agrees to purchase such copies.
11. This Policy is effective upon recordation and supersedes any policies regarding Records production and copying that may have previously been in effect. Except as affected by this Policy, all other provisions contained in the Declaration and/or any other dedicatory instruments of the Association shall remain in full force and effect.