

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
MIDDLEGATE VILLAGE COMMUNITY ASSOCIATION  
REGARDING DOCUMENT PRODUCTION AND COPYING POLICY**

WHEREAS, pursuant to the Chapter 209.005 of the Texas Property Code, Middlegate Village Homeowners Association, (the "Association") shall make the books and records of the Association, including financial records, open to and reasonably available for examination by owners; and

WHEREAS, there is a need, and the Board of Directors desires to establish rules and regulations relating to a uniform and systematic procedure for producing Association records; and

WHEREAS, at a regular meeting of the Board of Directors of the Association, said meeting being properly called and a quorum being present, a Document Production and Copying Policy was adopted; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Association has and does hereby adopt the following Document Production and Copying Policy which shall be recorded in the real property records of each county in which the subdivision is located.

By: Sid Lyon, President

Printed Name: Sid Lyon

**CERTIFICATION**

"I, the undersigned do hereby certify that I am the duly elected and acting President of Middlegate Village Community Association and the following Document Production and Copying Policy was adopted at a regular meeting of the Board of Directors, said meeting being properly called and a quorum being present on the 1st day of November, 2011."

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 1st day of November, 2011.

MIDDLEGATE VILLAGE COMMUNITY ASSOCIATION

By: Sid Lyon, President

Printed Name: Sid Lyon

**ACKNOWLEDGEMENT**

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

BEFORE ME, on this day personally appeared Sid Lyon, the President of Middlegate Village Community Association, known by me to be the person whose name is subscribed to the foregoing instrument, and being duly sworn acknowledged to me that s/he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this the 1 day of November, 2011  
Sharon Griffith



NOTARY PUBLIC IN AND FOR  
STATE OF TEXAS

After recording, return to:  
SCS Management Services, Inc.  
7170 Cherry Park Drive  
Houston, TX 77095

**MIDDLEGATE VILLAGE COMMUNITY ASSOCIATION**

**DOCUMENT PRODUCTION & COPYING POLICY**

1. **EXAMINATION OF BOOKS & RECORDS.** The Middlegate Village Community Association ("Association") shall make its books, records, and financial records reasonably available for examination by an Owner, or a person designated in writing signed by the Owner as the Owner's agent, attorney, or certified public accountant, all of which are referred to collectively as ("Owner"). The Association may produce books and records requested under this section in hard copy, electronic, or other format reasonably available to the Association.
2. **WRITTEN REQUEST TO INSPECT OR COPY.** Requests to inspect or copy Association books and records must be made in writing and sent by certified mail to the Association at SCS Management Services, Inc., 7170 Cherry Park Drive, Houston, Texas 77095. The request must contain an election either to: (i) inspect the books and records before obtaining copies; or (ii) have the Association forward copies of the requested books and records. The request should also contain sufficient detail or description as to identify the documents requested.
3. **PAYMENT OF ESTIMATED COSTS.** The Association may require advance payment of the estimated costs of compilation, production, and reproduction of the requested information. If the estimated costs are lesser or greater than the actual costs, the association shall submit a final invoice to the Owner on or before the 30th business day after the date the information is delivered. If the final invoice includes additional amounts due from the Owner, 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, the Owner is entitled to a refund, and the refund shall be issued to the Owner not later than the 30th business day after the date the invoice is sent to the Owner.
4. **COSTS FOR DOCUMENT COMPILATION, PRODUCTION, AND REPRODUCTION. COPIES.** The following schedule of costs is adopted pursuant to the Chapter 70 of the Texas Administrative Code. Note that each side of a page that has recorded information is considered a page:

<b>SCHEDULE OF COSTS FOR DOCUMENT COMPILATION, PRODUCTION, AND REPRODUCTION</b>	
<b>COST</b>	<b>ITEM DESCRIPTION</b>
\$0.10	8.5" x 11" page
\$0.10	8.5" x 14" page
\$0.50	11" x 17" page
\$1.00	CD or audio cassette
\$2.50	Video cassette
\$3.00	DVD
Actual Cost	<ul style="list-style-type: none"> <li>- Paper greater than 11"x17" or specialty paper (Mylar, blueprint, blue line, color, photographs and maps).</li> <li>- Other electronic media or magnetic tape, data cartridge, tape cartridge and JAZ drive.</li> <li>- Supplies used in producing the records including labels, boxes, folders and along with postage for mailing the records.</li> </ul>
\$15.00 per hour	Labor charge for actual time to locate, compile and reproduce the records which shall only be charged if request is greater than 50 pages in length.
20%	Overhead charge of 20% of total labor charge only if the request is greater than 50 pages in length.

5. **PERSONAL INFORMATION.** The Association is not required to release or allow inspection of any books or records that identify the dedicatory instrument violation history of an individual owner, an owner's personal financial information, including records of payment or nonpayment of amounts due the association, an owner's contact information, other than the owner's address, or information related to an employee of the association, including personnel files. Information may be released in an aggregate or summary manner that would not identify an individual property owner. However, the books and records shall be released or made available for inspection if: (i) The express written approval of the owner whose records are the subject of the request for inspection is provided to the Association; or (ii) A court orders the release of the books and records or orders that the books and records be made available for inspection.
6. **WRITTEN REPLY TO INSPECT OR COPY.** To the extent the books and records that are in the possession, custody, or control of the Association, the Association shall send written notice to the Owner, on or before the 10<sup>th</sup> business day after the date the request is received, of dates during normal business hours that an Owner may inspect the records. Or if copies were requested the Association shall send the copies, or shall send a notice that the Association is unable to produce the records before the 10<sup>th</sup> business date and states a date by which information will be sent or made available for inspection not later than the 15<sup>th</sup> business day after the request is received. To this end, the following form of response is adopted, the substance of which may be revised from time-to-time without the need to revise this Document Production and Copying Policy:

**REPLY TO REQUESTS FOR ASSOCIATION BOOKS AND RECORDS**

[Date of Letter]

Dear Homeowner:

On or about the [\_\_\_\_] date of \_\_\_\_\_, 201\_\_\_\_], the [Name of Homeowners Association] ("Association") received a request for:

*Copies of specific Association records.*

*Inspection of the books and records of the Association.*

**Please be advised that (check only the boxes that apply):**

*We are able to provide you with the requested records within 10 business days of your request. Please call 281-463-1777 to schedule an appointment at a mutually agreeable time between the hours of 9:00 a.m. and 4:00 p.m. on regular business days at the office of SCS Management Services, Inc., 7170 Cherry Park Drive, Houston, TX 77095. Should copies of specific documents be needed during or after the inspection, you will be required to pay the associated costs before the copies will be provided to you. See schedule of costs below.*

*We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response or on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2011. On this date, please call 281-463-1777 to schedule an appointment at a mutually agreeable time between the hours of 9:00 a.m. and 4:00 p.m. on regular business days at the office of SCS Management Services, Inc., 7170 Cherry Park Drive, Houston, TX 77095. Should copies of specific documents be needed during or after the inspection, you will be required to pay the associated costs before the copies will be provided to you. See schedule of costs below.*

*Please correct and resubmit your request, as it is inadequate because:*

*Must be sent in the form of a written request by certified mail to the mailing address of the Association: c/o SCS Management Services, Inc., 7170 Cherry Park Drive, Houston, Texas 77095.*

*Fails to contain an election either to: (i) inspect the books and records before obtaining copies; or (ii) have the Association forward copies of the requested books and records.*

*Fails to adequately describe or identify the books and records to be inspected and or copied.*

Please be advised that the estimated costs for providing records to you are:

Approximately: \$\_\_\_\_\_. In order to obtain the records you must first pay the Association the cost of providing the records to you. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the offices of SCS Management Services, Inc., 7170 Cherry Park Drive, Houston, Texas 77095 by calling 281-463-1777 to schedule an appointment at a mutually agreeable time between the hours of 9:00 AM and 4:00 PM on regular business days. See schedule of costs below.

Less than actual costs and the Association is sending you this letter as a final invoice on or before the 30th business day after the date the information is delivered to you. The amount due and owing to the Association is \$\_\_\_\_\_. Be advised that if the additional amounts are not reimbursed to the Association before the 30th business day after the date the invoice is sent to you, they may be added to your account as an assessment.

- Greater than the actual costs and you are entitled to a refund of \$\_\_\_\_\_ which is now being issued to you not later than the 30th business day after the date the amounts were requested from you.

SCHEDULE OF COSTS FOR COMPILATION, PRODUCTION, AND REPRODUCTION	
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\$0.10	8.5" x 14" page
\$0.50	11" x 17" page
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Actual Cost	<ul style="list-style-type: none"> <li>- Paper greater than 11"x17" or specialty paper (Mylar, blueprint, blue line, color, photographs and maps).</li> <li>- Other electronic media or magnetic tape, data cartridge, tape cartridge and JAZ drive.</li> <li>- Supplies used in producing the records including labels, boxes, folders and along with postage for mailing the records.</li> </ul>
\$15.00 per hour	Labor charge for actual time to locate, compile and reproduce the records which shall only be charged if request is greater than 50 pages in length.
20%	Overhead charge of 20% of total labor charge only if the request is greater than 50 pages in length.
<i>The Association may produce books and records requested in hard copy, electronic, or other formats reasonably available.</i>	

Sincerely,

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