Swains Creek Pines Lot Owners Association
Records Retention Policy

Adopted 14-June-2025

This policy is intended to reflect statutory records retention requirements, and to serve as a guide to those requirements.

- **Governing Documents (Declaration, Bylaws, Articles of Incorporation, Reslutions, Rules, Etc.)**
    - Retained: Permanently
    - Available for inspection: At all times (digital copies on public website)

- **Minutes from Open Meetings**
- **Actions without a Meeting (via email)**
- **Waivers of meeting notice**
    - Retained: Permanently, in digital format when possible
    - Available for inspection: 3 most recent calendar years, in digital format, on owner portal
    - Most recent minutes available on public website in digital format

- **Annual Budgets and Financial Statements**
    - Maintained for accuracy
    - Available for inspection: At all times (digital copy in owner portal; most recent annual budget in digital format on public website)
    - Members may request, in writing and with allowable purpose, current copies of financial records. Fees may apply. Standard response time is 5 business days, although extraordinary requests may take longer to fulfill.

- **Accounting Records**
  To include annual profit & loss statements and an annual balance sheet
    - Retained: 3 previous fiscal years
    - Available for inspection: At all times in digital format on owner portal

- **Certificate(s) of Insurance**
    - Retained: All current policies
    - Available for inspection: At all times in digital format on owner portal

- **Member Lists**
  Current owner portal enables us to be compliant automatically, provided it is maintained

for accuracy. Available for inspection only on written request and with proper purpose, with the following statutory limitations:

- 16-6a-1605 Limitations on use of membership list.
  - (1) Without consent of the board of directors, a membership list or any part of a membership list may not be obtained or used by any person for any purpose unrelated to a member's interest as a member.
  - (2) Without limiting the generality of Subsection (1), without the consent of the board of directors, a membership list or any part of a membership list may not be:
    - (a) used to solicit money or property unless the money or property will be used solely to solicit
    - the votes of the members in an election to be held by the nonprofit corporation;
    - (b) used for any commercial purpose; or
    - (c) sold to or purchased by any person.

- **List of Board Members and Officers**
  To include home or business address (at each Board member's discretion)
  - Available on written request within 5 business days

- **Communications to Members**
  Generally, this refers to broadcast communications, not individual communications.
  - Retained: 3 years
  - Available for inspection: At all times in digital format owner portal