

# **Ludlow Maintenance Commission, Inc. (LMC)**

## **Records Access Policy Adopted January 20, 2007**

**Records:** Washington State Statute [RCW 24.03.135] requires that each corporation shall keep at its registered office, its principal office in this state, or at its secretary's office if in this state, the following:

1. Current articles and bylaws;
2. A record of members, including names, addresses, and classes of membership, if any;
3. Correct and adequate records of accounts and finances;
4. A record of officers' and directors' names and addresses;
5. Minutes of the proceedings of the members, if any, the board, and any minutes which may be maintained by committees of the board.

The corporate records shall be open at any reasonable time to inspection by any member of more than three months standing or a representative of more than five percent of the membership. Cost of inspecting or copying shall be borne by such member except for costs for copies of articles or bylaws. Any such member must have a purpose for inspection reasonably related to membership interests. Use or sale of members' lists by such member if obtained by inspection is prohibited. [RCW 24.03.135]

The superior court of the corporation's or such member's residence may order inspection and may appoint independent inspectors. Such member shall pay inspection costs unless the court orders otherwise. [RCW 24.03.135]

**Membership Rights:** All records of the association, including the names and addresses of owners and other occupants of the lots, shall be available for examination by all owners, holders of mortgages on the lots, and their respective authorized agents on reasonable advance notice during normal working hours at the offices of the association or its managing agent. The association shall not release the unlisted telephone number of any owner. The association may impose and collect a reasonable charge for copies and any reasonable costs incurred by the association in providing access to records. [RCW 64.38.045(2)]

**Procedures:**

- (a) Records may be written, or electronic if capable of being converted to writing.
- (b) All records requests shall be submitted in writing using the LMC Records Access form available at the Beach Club office.

- (c) Inspections shall take place during normal business hours at the Beach Club: that is, 8:00 a.m. to 4:00 p.m., Monday through Friday.
- (d) The association shall not release the unlisted telephone number of any owner. [RCW 64.38.045 (2)]
- (e) The association may impose and collect a reasonable charge for copies and any reasonable costs incurred by the association in providing access to records. [RCW 64.38.045 (2)] If assembling and/or copying the requested information requires more than 30 minutes of staff time, an additional labor charge plus copying costs may be added at the discretion of the General Manager.
- (f) A member of the LMC Board of Trustees or the General Manager shall be present during the inspection.
- (g) Responses to requests to inspect records shall be made within 10 business days.

**Ludlow Maintenance Commission (LMC)**

**Records Access Request Form  
Adopted January 20, 2007**

Property Owner's Name: \_\_\_\_\_ Property No. \_\_\_\_\_

Street Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

1. I am requesting to inspect/copy the following LMC records:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The purpose for this inspection request is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**NOTICE:** Washington law prohibits the sale or use of LMC membership lists. You are further cautioned that unauthorized use or sale of LMC records and information may subject you to civil and criminal liability. Without limitation, prohibitions on unauthorized use or sale of association records and information are set forth in RCW 24.03.135.

The LMC reserves the right to impose and collect a reasonable charge for copies and other costs incurred by the association in providing access to records [RCW 64.38.045]. If assembling and/or copying the requested information requires more than 30 minutes of staff time, an additional labor charge plus copying costs may be added at the discretion of the General Manager.

Property Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **RCW 24.03.135**

### **REQUIRED DOCUMENTS IN THE FORM OF A RECORD — INSPECTION — COPYING.**

Each corporation shall keep at its registered office, its principal office in this state, or at its secretary's office if in this state, the following documents in the form of a record:

- (1) Current articles and bylaws;
- (2) A list of members, including names, addresses, and classes of membership, if any;
- (3) Correct and adequate statements of accounts and finances;
- (4) A list of officers' and directors' names and addresses;
- (5) Minutes of the proceedings of the members, if any, the board, and any minutes which may be maintained by committees of the board.

The corporate records shall be open at any reasonable time to inspection by any member of more than three months standing or a representative of more than five percent of the membership.

Cost of inspecting or copying shall be borne by such member except for costs for copies of articles or bylaws. Any such member must have a purpose for inspection reasonably related to membership interests. Use or sale of members' lists by such member if obtained by inspection is prohibited.

The superior court of the corporation's or such member's residence may order inspection and may appoint independent inspectors. Such member shall pay inspection costs unless the court orders otherwise.

## **RCW 64.38.045 (2)**

### **FINANCIAL AND OTHER RECORDS — PROPERTY OF ASSOCIATION — COPIES — EXAMINATION — ANNUAL FINANCIAL STATEMENT — ACCOUNTS.**

(2) All records of the association, including the names and addresses of owners and other occupants of the lots, shall be available for examination by all owners, holders of mortgages on the lots, and their respective authorized agents on reasonable advance notice during normal working hours at the offices of the association or its managing agent. The association shall not release the unlisted telephone number of any owner. The association may impose and collect a reasonable charge for copies and any reasonable costs incurred by the association in providing access to records.