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Civil Code Section 1365.02 (the former AB 1098) – Inspection of Records

What CAN be inspected:

(through reference to 1365)

Budget

Reserve Summary

CPA Review of Financial statement

Assessment collection polices

Summary of insurance policies

(through reference to 1368)

All governing documents, including the Condominium Plan or Subdivision Map, CC&R's, Bylaws, Rules and Regulations, and any amendments, and either the Articles of Incorporation or a statement confirming that the association is unincorporated..

If construction defect lawsuit is pending, defect list provided to the members, or if case settled, the post-settlement disclosure

(specifically listed in 1365.2)

Interim unaudited financial statements containing:

balance sheet,

income/expense,

budget comparison, or

general ledger

Executed contracts not otherwise privileged -- Contracts for legal, management or maintenance are not privileged.

Written board approval of vendor or contractor proposals or invoices

Tax returns (state and federal)

Reserve account balances and records of reserve payments

Agendas and minutes (excluding executive session)

Membership lists

Members can opt out in writing from membership list

Check registers

WHAT MAY BE WITHHELD or REDACTED:

Information which might lead to identity theft (bank account or Social Security numbers)

Release of information might lead to fraud

Privileged information – confidential settlement agreements or attorney-client privileged

Records of “a-la-carte goods or services provided to member for which member paid

Disciplinary actions, collection activities or payment plans of members

Members' personal identification information

Executive session information

Personnel records (except payroll)

Interior architectural plans