

POLICY AND PROCEDURE REGARDING AVAILABILITY OF INFORMATION RELATING TO RANCHO SANTA FE ASSOCIATION BUILDING SITES

I. Purpose and Intent

A Member's right to RSF Association records and documents is governed by the Davis-Stirling Common Interest Development Act (the "Davis-Stirling Act") and the CA Corporations Code. The purpose of this Policy and Procedure is to briefly describe access rights to information regarding a Building Site and to delegate to the staff of the Rancho Santa Fe Association the authority to comply with the requests by a Member or their authorized representative. The information being made available may exceed that required under the Davis-Stirling Act but authorized by the Board of Directors of the RSF Association. In instances where copies are to be provided, a reasonable cost for preparation and reproduction will be charged. The intent of this Policy and Procedure is to provide reasonable access to RSF Association Member's Building Site information (which includes records, documents, surveys and architectural plans), as may be required by law and/or authorized by the Board of Directors.

II. A Summary of Access to Information

- A.** Members are entitled to access to the following information regarding their Building Site, upon written request submitted by US Mail or e-mail (if the Member has so requested previously by written instructions) to the Building Commissioner of the RSF Association and is required to be provided by the RSF Association within the time periods as specified in Section 5210 of the Davis-Stirling Act.
1. Final Staff Reports to the Board and the Covenant Design Review Committee ["CDRC"] (regarding active or recently approved applications of the member)
 2. Required setbacks for the Member's property (requires staff research time)
 3. Decision letters of the Board and the CDRC (regarding active or recently approved applications of the requesting Member)
 4. Home location(s) on the Building Site
 5. Architectural Plans
 6. Applicability of certain Regulations and Rules pertaining to the Building Site
 7. Planning documents, including subdivision possibilities, boundary adjustments or annexation files as permitted by the Regulations and Protective Covenant
 8. Building Site Assessment and Account Information
 9. Building Site/Planning recorded documents (Easements, etc.)
 10. Building and Property Files
- B.** Microfiche files of Architectural Plans may be viewed by the Member who owns the Building Site or their representative.

III. A written request by US Mail or e-mail (unless the Member has so requested previously by written instruction) is required to make the information available using the form entitled "BUILDING SITE INFORMATION PRODUCTION REQUEST FORM".

Please note that the RSF Association is not required to provide information responsive to a general request, nor to create reports or studies at the direction of Member. Thus, the request for information should be specific and comply with the categories required to be produced pursuant to the Davis-Stirling Act and/or Board of Directors.

Association information regarding a Member's Building Site is only required to be accessible for the current fiscal year and two previous fiscal years. Such requests, if properly made, will be filled in ten (10) business days for the current fiscal year and thirty (30) calendar days for the previous two fiscal years (Section 5210(a)(b) of the Davis-Stirling Act).

Member's Building Site Information Production Request Form #

I, _____, declare:

1. I am a Member of the Rancho Santa Fe Association and the owner of a building site located within the Rancho Santa Fe Covenant, located at _____, Rancho Santa Fe, California. My Member Number is _____ and mailing address is _____

2. I am requesting the information listed below. I acknowledge that the Association will incur certain costs for collecting the requested information, reviewing the for confidential information and redacting such information prior to copying, and copying as requested (if possible), and that I must pay the cost for such charges prior to receipt of the copies I am requesting. **I acknowledge that the Association's obligation to produce the requested information is limited to the information as specified in the Davis-Stirling Act and/or Board of Directors.**

Association information is only required to be produced for the current fiscal year and two previous fiscal years (Section 5210(a) of the Davis-Stirling Act). Information required to be available under the law for the current fiscal year shall be provided within ten (10) business days following the Association's receipt of the request and for the previous two (2) fiscal years provided within thirty (30) calendar days following the Association's receipt of the request (Section 5210(a)(b) of the Davis Stirling Act).

As of the date of this request, the charges for information production are:

Collecting requested information \$30.00 per hour, with a minimum 2 hour charge; reviewing for confidential information, redacting the confidential information; and preparing a statement of the legal basis for such redaction: \$10.00 per hour, not to exceed \$200 for each written request; copying redacted documents \$.25/page.

3. I agree I will not use the information obtained from the RSF Association for any unlawful purpose, any commercial purpose, or for any other purpose not reasonably related to my interest as a Member of the RSF Association. I understand that if I do misuse the information, both the RSF Association and any Member whose privacy is compromised or who otherwise incurs damage as a result of misuse of the information is entitled to take legal action against me.

Information Requested (Request is limited to information required to be provided under law and/or authorized by the Board of Directors. Certain requests may require a statement of purpose.):

I hereby designate _____ as my authorized representative to receive the above referenced information on my behalf. This designation is only valid for the current information request.

Authorized Representative Contact Information:

Phone: _____

E-mail: _____

If any of the information identified above is currently maintained by the RSF Association in an electronic format which cannot be altered by recipient, you have the option of receiving certain information by e-mail as an alternative to US Mail. If you wish to receive such information by e-mail, please indicate by providing the e-mail address to which you wish the information sent, and initial below:

E-mail address: _____ (initials) _____

I request that my request be sent by US Mail to: _____,
_____, _____, _____

I declare under penalty of perjury under the laws of the State of California that the foregoing representations are true and correct.

Executed this ___ day of _____ 20___, at _____, California. (This must be filled out in order to complete your application).

Signed by Member _____ Member # _____

Approved By: _____ Date: _____

Requested Processed By: _____ Date: _____

Date Provided to Member or Representative: _____