

Marbella Lakes Condominium Association, Inc.

Public Record Request Policy

1. INTRODUCTION - It is the policy of the Marbella Lakes Condominium Association, Inc., that all records of the association, with the exception of exempted records identified by Florida Statutes, §119.07 or other applicable sections of Florida Statutes, shall be open for personal inspection by any person.

“Public records” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by the Association. (F.S. §119.011(1)).

2. OBJECTIVE - The purpose of this policy is to affirm the public’s right to access Condo Association records, to set forth the procedures that will facilitate accessibility of information to members of the public, and to establish fees to be levied by the Condo Association to cover the cost of responding to public records requests.
3. AUTHORITY - Adopted by the Board of Directors of the Marbella Lakes Condominium Association on _____, 2013.
4. PROCEDURE

A. Processing Public Records Requests

- (1) All requests for documents must be in writing or by email.

“Readily available documents” are those that are easily retrievable, regularly disseminated to the public, and do not require additional review in order to determine whether they contain exempt information, such as meeting minutes, program information sheets, engineering maps, and personnel files (which have already had exempt information redacted). Any Board member who receives a request for this type of information should comply as soon as practicable by referring it to the Association Secretary or the Property Manager.

- (2) The request must be filled within five (5) days

The Association shall make every effort to respond fully to all Public Records requests as quickly as possible. Requests for documents which may contain information which is exempt from disclosure under Florida law may be delayed until the records can be reviewed and redacted as necessary. The Association Attorney’s office should be contacted for clarification of exemptions under F.S. 119.

A response to the requestor acknowledging receipt of the request will be sent within forty-eight hours notifying the requestor when the records will be available for review or copying.

B. Charges for Public Records

(1) General

- a. The charge for a duplication of a one-sided letter size (8-1/2" x 11"), legal size (8-1/2" x 14") or oversize (11" x 17") document, capable of being reproduced on existing office equipment, shall be fifty cents (\$.50) per copy.
- b. For large, single documents not covered above (i.e. blueprints, maps, plans, etc.), the charge shall be the actual cost to the Association for outside reproduction.
- c. For books and other multi-page volumes printed by the Association (i.e. annual budget, various financial reports, etc.), the charge shall be the actual cost for outside reproduction
- d. The charge for a certified copy of a public record shall be two dollars (\$2.00) per certification, plus the applicable copying charges.
- e. A receipt for payment of costs associated with Public Records shall be given to the requestor upon payment of the levied fee. All fees collected shall be forwarded to the Property Manager for deposit in the Association's accounts.

(2) Access to Records

For the purpose of this policy, "reasonable" time to provide access to public records is during normal working hours – Monday – Friday, 8:00 a.m. – 5:00 p.m. At all times records will be inspected, reviewed and copied under supervision by the custodian of the public records requested, or the custodian's designee, pursuant to F.S. 119.07(4) (d).

5. REFERENCE - Florida Public Records Law, Chapter 119, Florida Statutes.

6. EFFECTIVE DATE - This Policy will become effective on January 24, 2013.

Marbella Lakes Condominium Association, Inc.
Public Record Request Form

Date: _____

Record(s) requested:

Requested by:

Name

Address

Phone

email