

# KEY RANCH ESTATES PROPERTY OWNERS ASSOCIATION

## DOCUMENT RETENTION POLICY

**WHEREAS**, pursuant to Section 209.005(m) of the Texas Property Code, the Board of Directors of the Key Ranch Estates Property Owners Association (the “Association”) is required to adopt a document retention policy for the Association’s books and records.

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with the procedures set forth by Chapter 209 of the Texas Residential Property Owners Protection Act, that the following procedures and practices are established for the maintenance and retention of the Association’s books, records and related documents, and the same are to be known as the “Document Retention Policy” of the Association.

1. Purpose. The purpose of this Document Retention Policy is to ensure that the necessary records and documents of the Association are adequately protected and maintained.

2. Administration. The Association is in charge of the administration of this Document Retention Policy and the implementation of processes and procedures to ensure that the Records Retention Schedule attached as Exhibit “A” is followed. The Board is authorized to make modifications to this Records Retention Schedule from time to time to ensure that it is in compliance with local, state and federal laws and that the schedule includes the appropriate document and record categories for the Association.

3. Suspension of Record Disposal in Event of Litigation or Claims. In the event the Association is served with any subpoena or request for documents or the Association becomes aware of a governmental investigation or audit concerning the Association or the commencement of any litigation against or concerning the Association, all documents relating or pertaining to such investigation, claim or litigation shall be retained indefinitely, and any further disposal of documents shall be suspended and shall not be reinstated until conclusion of the investigation or lawsuit, or until such time as the Board, with the advice of legal counsel, determines otherwise.

4. Applicability. This Document Retention Policy applies to all physical records generated in the course of the Association’s operation, including both original documents and reproductions. It also applies to electronic copies of documents. Any electronic files that fall under the scope of one of the document types on the Records Retention Schedule below will be maintained for the appropriate amount of time. Documents that are not listed on Exhibit “A”, but are substantially similar to those listed in the Records Retention Schedule, should be retained for a similar length of time.

5. Definitions. The definitions contained in the governing documents of the Association are hereby incorporated herein by reference.

**IT IS FURTHER RESOLVED** that this Document Retention Policy is effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing resolution was adopted by the Board of Directors at a meeting of same on JUNE 7, 2022, and has not been modified, rescinded or revoked.

DATE: 6/8/2022

  
Secretary

## **EXHIBIT A – RECORD RETENTION SCHEDULE**

### **A. GOVERNING DOCUMENTS**

Any certificates of formation, bylaws, dedicatory instruments, and all amendments to the certificates of formation, bylaws, and dedicatory instruments Permanently

### **B. FINANCIAL RECORDS & TAX RETURNS**

Financial records, including each year's budget, tax returns, audits of the Association's financial books and records, copies of all bills paid by the Association or to be paid, the Association's checkbooks and check registers 7 years

### **C. RECORDS OF OWNERS' ACCOUNTS**

Owners' account records, including assessment account ledgers, architectural review records, violation records, records of fines and any disputes from the owner 5 years

### **D. CONTRACTS**

Copies of the final, executed contracts with a term of 1 year or more entered into by the Association (and any related correspondence, including any proposal that resulted in the contract and all other supportive documentation) 4 years after expiration or termination

### **E. MEETING MINUTES**

Minutes of Annual and Special Meetings of the Members, minutes of Board meetings, and minutes of committee meetings (if any) 7 years

### **F. TAX RETURNS AND AUDIT RECORDS**

All tax returns and audit records for the Association 7 years