



**Homeowners Association**  
Oakwoodha.org  
A Not For Profit Corporation

## **OHA Member Request for Records Procedure**

### **OHA PROCEDURE # 5**

- 1. Purpose:** To provide a consistent procedure for use by the OHA Board of Directors when members request OHA records
- 2. Responsibility:** The President of the OHA Board is responsible for the proper implementation of this procedure.
- 3. Illinois Laws Dictating Homeowner Rights:**
  - a. Illinois Law Governing Homeowner Associations**
    - i. The Illinois Not For Profit Act Section 107.75(a)** is the primary Illinois law that applies to the association.
    - ii. The Illinois Condominium Property Act** does not apply to the association. The association does not qualify as a “common interest community” as defined in the portions of the Illinois Code of Civil Procedure which addresses eviction actions.
    - iii. The Illinois Common Interest Community Association Act** does not apply to the association. This State Law applies only to Homeowner Associations with over 10 units and annual budget assessments over \$100,000.
  - b.** Records made available in excess of legal requirements as defined in this document are at the discretion of the board of directors
- 4. Process:**
  - a. Member Request Procedure**
    - i. Written Request:**

The member must submit a written request to the board of directors addressed either to the OHA email address or the OHA postal mail address.
    - ii. Verbal Request:**
      - 1.** The member must make a formal request during a scheduled meeting of the board of directors.

2. The request will then be recorded with the board meeting minutes.
  3. Verbal requests must be documented by the member using Form 5.1 of this procedure or its equivalent.
- iii. Information Required: The request must state:
1. The records, particularity sought to be examined.
  2. The request must state the overall purpose of the request and the specific application of the information requested.

**b. Board Procedure**

- i. President Responsibilities
  1. Coordinating the gathering of the requested records.
  2. Correspondence with the homeowner.
    - a. Setting up a time and place for the homeowner to review records if required.
    - b. All correspondence shall be in writing and directed to either the homeowner's home address or email address.
    - c. The OHA Board of Directors shall be copied on all correspondence.
  3. Requests for information or documents not listed in section 5 of this procedure will be honored only based on availability and at the discretion of the OHA Board and requires a majority vote of the Board.
- ii. OHA Board of Directors
  1. If request is for a document specified in section 5, the President shall be responsible for ensuring the document is provided to the homeowner and the Board of Directors is copied on the action taken.
  2. If the request is for a document *not* specified in section 5, the Board of Directors shall vote on the final validity of the homeowner's written request and the action to be taken..
- iii. Requests for information not meeting the criteria stated in 4. a. of this section will not be considered a valid request and will be returned to the requesting member along with a written reason for the request not being honored.
- iv. A reasonable fee or the actual cost to the association of retrieving and making requested records available for inspection, examination, and copying shall be charged by the association to the requesting member. Member is required to pay the cost of records being provided prior to the copies being made.

- v. Failure of an association's board of directors to make available all records so requested within 30 days of receipt of the member's written request shall be deemed a denial.
- vi. Failure to provide records not in possession of the Oakwood Homeowners Association is not to be considered a denial of a proper request. As such, a formal reply to the homeowner stating the unavailability of the records shall be made within the 30 day period.

## **5. Records That Must Be Made Available to Members**

- a. **Articles of Incorporation** Certificate number 19072
  - i. State of Illinois copy (\$15) Sec. of State office (217) 782-6875
- b. **CC&R**
  - i. Current Revision is on the OHA web site
- c. **Bylaws**
  - i. Current Revision is on the OHA web site
- d. **Common Area Rules**
  - i. Current Revision is on the OHA web site
- e. **Meeting Minutes (Board and Annual Meetings)**
  - i. Current Revision is on the OHA web site
- f. **Plats of the Association**
  - i. **R71-55525 Oakwood - Unit One**
  - ii. **R72-78535 Oakwood - Unit One Corrected**
  - iii. **R74-5282 Oakwood - Unit Two - A**
  - iv. **R74-5283 Oakwood - Unit Two - B**
  - v. **R78-30634 Oakwood - Unit Three**
- g. **Current Insurance Policies**
- h. **Current Contracts**
- i. **Ballots and Proxies ( from 1 year of date of the last annual meeting)**
- j. **Books and Records of Account**
  - i. Includes:
    - 1. Itemized detail records of all receipts and expenditures
    - 2. Audit
    - 3. Budget

## **6. Recourse Available to Members When Records are Denied**

- a. The Member has the right to appear at a regularly scheduled Meeting of the Board of Directors to address the refusal.
- b. Court Action: **The Illinois Not For Profit Act Section 107.75(a)**

Approved by the OHA Board

# Request for Records Form 5.1

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

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

Email Address : \_\_\_\_\_

**Articles of Incorporation** Certificate number 19072

- State of Illinois copy (\$15)  
Sec. of State office (217) 782-6875
- Office copy

**CC&R**

- Current Revision is on the OHA web site
- Amendments

**Bylaws**

**Common Area Rules**

**Meeting Minutes (Board and Annual Meetings)**

Dates Requested \_\_\_\_\_

**Plats of the Association**

- R71-55525 Oakwood - Unit One**
- R72-78535 Oakwood - Unit One Corrected**
- R74-5282 Oakwood - Unit Two - A**
- R74-5283 Oakwood - Unit Two - B**
- R78-30634 Oakwood - Unit Three**

**Current Insurance Policies**

**Current Contracts**

**Ballots and Proxies (from 1 year of date of meeting)**

**Books and Records of Account**

**Specific Information Requested:**

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

**Records not listed above:**

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

**Reason for Request.**

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

The data on the above form accurately represents my request for OHA Information.

\_\_\_\_\_  
Signature of requester & date signed