

### BECKFORD PLACE HOMEOWNERS ASSOCIATION, INC.

#### **DOCUMENT RETENTION POLICY**

This Document Retention Policy is adopted in accordance with Texas Property Code Section 209.005 and supersedes any policy regarding retention and destruction of Documents that may have previously been in effect. This Document Retention Policy will be effective when recorded in the Real Records of Harris County, Texas.

# 1. Definitions.

- (a) <u>Generally.</u> The following words and phrases when used in this Document Retention Policy have the following meanings:
- (1) The terms "Destroy" and "Destroyed" mean to destroy, discard, shred, burn, delete, chemically treat, purge, or otherwise eliminate Documents as may be appropriate.
- (2) The terms "Document" or "Documents" mean any documentary material generated or received by the Association in connection with transacting its business, or related to the Association's legal obligations. The terms "Document" or "Documents" include, among other things, writings, drawings, graphs, charts, photographs, tape, disc, audio recordings, microforms, and other electronic documents from which information can be obtained or translated, such as electronic mail, voice mail, floppy disks, hard disks and CD ROM, and the files within which any such items are maintained.
- (3) The term "Official Files" means the files maintained by the Manager. The term "Official Files" expressly excludes Documents subject to the attorney-client privilege and the work-product privilege maintained by the Association's legal counsel.
- (b) Other Capitalized Terms. Any other capitalized term in this Document Retention Policy that is not defined in this Document Retention Policy will have the meaning set forth in, as applicable, (1) the Declaration of Restrictive Covenants for BECKFORD PLACE SUBDIVISION (as amended or restated from time to time), or (2) the Bylaws of BECKFORD PLACE HOMEOWNERS ASSOCIATION, INC., a Texas non-profit of corporation (as amended or restated from time to time).

#### 2. Policy.

- (a) It is the Association's policy to maintain complete, accurate, and high-quality documents. Documents are to be retained for the period of their immediate use, unless longer retention is required for historical reference, contractual or legal requirements, or other purposes as set forth in this Document Retention Policy.
- (b) Documents may be maintained in paper format or in an electronic format that can be readily transferred to paper.
  - (c) Documents that are no longer required, or have satisfied their recommended

period of retention, will no longer be records of the Association and may be Destroyed.

- (d) The Manager is responsible for ensuring that Documents within its area of assigned responsibility are identified, retained, stored, protected, and subsequently Destroyed in accordance with the guidelines set forth in this Document Retention Policy.
- 3. <u>Compliance</u>. This Document Retention Policy is not intended to be exhaustive and, accordingly, will be implemented to meet the specific needs of the Association. The retention periods specified in the Retention Schedule are guidelines based on the current retention periods set forth in current laws, industry custom, and practice.
- 4. Record Retention Schedule. Documents must be retained in accordance with the retention schedule attached as Schedule 1 ("Retention Schedule"). The retention periods specified in the Retention Schedule for particular Documents are intended as guidelines. In particular circumstances, the Manager and the Board may determine that either a longer or shorter retention period is warranted, as long as the retention period does not violate current law.
- 5. <u>Directors.</u> The Association does not require Directors to maintain any Documents. Directors, in their discretion, may Destroy copies of Documents generated by the Association if the Association maintains the originals of the Documents in the Official Files. However, if Directors receive Documents relating to the Association that were not generated by the Association or received through the Association, Directors must send the originals of the Documents (or copies, if originals are not available) to the Manager to be maintained in the Official Files.

#### 6. Annual Purge of Files.

- (a) The Manager and each Director electing to maintain Documents must conduct an annual purge of files that are under their respective control. The annual purge of files must be completed within the first quarter of each calendar year for Documents relating to prior years.
- (b) When a Director ceases to be a Director, the Director must either Destroy or turn over to the Manager all Documents relating to the business of the Association in the Director's possession or control. If the Documents are turned over, from that time forward, the Manager will have the responsibility to conduct the annual purge of files maintained by the former Director.

## 7. <u>Destruction Procedure.</u>

- (a) If the Documents to be purged are of public record, the Documents will be recycled. If recycling is not economically feasible, the Documents may be Destroyed.
- (b) If the Documents to be purged are not of public record, the Documents will be recycled as long as any confidential information contained in the Documents can be preserved; otherwise, the Documents will be Destroyed in order to preserve the confidential

nature of the information.

- 8. <u>Certification.</u> Following the annual purge of files, the Manager, on request by the Board, must certify in writing that all Documents under its control conform to the guidelines set forth in this Document Retention Policy.
- 9. <u>Copies of Originals.</u> Copies of any Document may be recycled or Destroyed (as appropriate) at any time, regardless of age, as long as an original of the Document is maintained in the Official Files.
- 10. Onset of Litigation. If litigation has commenced, or if it is reasonably foreseeable that litigation may be imminent, all Documents potentially relevant to the dispute must be preserved. At the direction of the Association's legal counsel, the Manager will advise the Board and any other person who may maintain Documents of the facts relating to the litigation. Thereafter, all Documents potentially relevant to the dispute will be deemed "held" until the litigation is concluded and all appeal periods have expired. At the conclusion of the litigation, the "hold" period will cease and the time periods provided in the Retention Schedule will apply to the Documents.

BECKFORD PLACE HOMEOWNERS ASSOCIATION, INC., a Texas non-profit

corporation

Name: ROBERT COURT
Title: Association Manager

#### AFTER RECORDING PLEASE RETURN TO:

Beckford Place Homeowners Association

Attention: Robert Court P.O. Box 720032

Houston, Texas 77272

STATE OF TEXAS

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COUNTY OF HARRIS §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared ROBERT COURT, Association Manager of BECKFORD PLACE HOMEOWNERS ASSOCIATION, INC., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that it was the act of BECKFORD PLACE HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation, and that he executed it as the act of the company for the purposes and consideration expressed in it, and in the capacity stated in it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, t

CINDY WILSON WALKER
Notary Public, State of Texas
My Commission Expires
April 02, 2017

Notary Public - State of Texas

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED FOR RECORD 8:00 AM

NOV -4 2015

County Clerk, Harris County, Texas

ANY PROVISION MEREN WHICH RESTRICTS THE SALE REVITAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNEDFORCEASLE UNDER FEDERAL LAND THE STATE OF TEXAS COUNTY OF HARRIS.

I handly carefy his finishment was FILED in File Number Sequence on the date and at the same damped hands by any, and was duly RECORDED, in the Olicial Addit Records of Real Property of Harris County, Texas

NOV -4 2015



Stan Stancet
COUNTY CLEAK
HARRIS COUNTY, TEXAS