**LAKE ROCKPORT ESTATES
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Board Confidentiality and Information Handling Policy

Notice Date: 11/18/2026	Effective Date: January 1, 2027	Resolution Number: 1

1. Purpose and limits

LRE will safeguard protected information entrusted to people acting for the Association. This policy governs handling and voluntary distribution; it does not make every Board email confidential, prevent disagreement, or replace required meetings, records disclosure, or member participation. Applicable law and higher-ranking governing documents control any conflict. Classification is not a legal determination of privilege or exemption from disclosure.

2. Persons covered

This policy applies to trustees, officers, committee members, and volunteers receiving protected information in an official capacity. It applies to management, employees, consultants, and contractors only within the Association's lawful supervisory or contractual authority. The Board will obtain appropriate contractual commitments where necessary. Duties concerning protected information continue after service ends, subject to applicable law and the exceptions below.

3. Protected information

Handle the following with restricted access when a legitimate Association purpose requires protection:

Confidential communications seeking or conveying Association legal advice, and attorney work products to the extent actually protected by law. Counsel should guide classification and disclosure.

Sensitive personal, financial, medical, personnel, complaint, or enforcement information concerning identifiable persons, when not already public or lawfully authorized for release.

Passwords, access credentials, gate administration permissions, security vulnerabilities, and nonpublic security configurations.

Nonpublic negotiation or settlement strategy, and information subject to a valid confidentiality obligation, to the extent protection is lawful.

These categories are handling standards, not additional statutory grounds for withholding required records. Information is not protected merely because it is embarrassing, disputed, preliminary, critical of the Board, or contained in a draft. Public governing documents, properly disclosed minutes, and other public information are not made confidential by this policy.

4. Access and communication

Share protected information only with people who need it for authorized Association work, using the minimum information necessary. Do not forward protected material to neighbors, family members, outside groups, social media, or an adverse party without lawful authorization or an exception in Section 6. Verify recipients before sending. Routine delivery to Association counsel or authorized management for their assigned duties requires no separate approval.

Use Association-approved email and storage when available, with strong passwords and multifactor authentication where supported. Do not use disappearing messages or automatic deletion for Association business. Preserve business records sent or received through personal accounts in the designated

Association repository. Keep privileged legal discussions separate from general operational threads whenever practical.

Disclosure Rights and Association Communications

5. Records requests and transparency

The Secretary and management will log and coordinate records requests and produce required records within applicable statutory deadlines. Any recipient of a request must promptly transmit it to them; routing does not restart the legal deadline. Under Utah Code §57-8a-227, a qualifying request must be fulfilled within 10 business days after receipt. No additional Board vote, confidentiality acknowledgment, or waiver may be required as a condition of exercising a statutory inspection right.

For records required to be produced, §57-8a-227(1)(b) permits redaction of Social Security numbers, bank account numbers, and communications subject to attorney-client privilege. Do not withhold the required record merely because it concerns an owner, personnel matter, negotiation, or closed session. Seek counsel's guidance concerning any separate legal protection. Produce disclosable portions where required, and document the legal basis for each withholding or redaction.

This policy does not authorize closed meetings beyond those permitted by law. Use Utah Code §57-8a-226 and applicable governing documents to determine meeting access and any lawful closed portion. Preserve required minutes and action records. An email discussion or confidentiality label is not a substitute for legally required Board action procedures.

6. Disclosures that remain permitted

Except as provided herein, no prior Board permission is required for disclosure required by applicable law, a valid court order, or compulsory legal process, or for a report or disclosure protected by law-to-law enforcement, a regulator, the Utah HOA Ombudsman, a court, or another competent authority. This policy does not prohibit lawful testimony, cooperation with investigations, or good-faith exercise of statutory rights. Notify Association counsel when lawful and practicable, but notice is not a condition of a legally protected disclosure.

Any matter discussed during a closed session is not subject to discovery in a civil action in a state court under the Utah Rules of Civil Procedure under Utah Code Ann. § 57-8a-226(3)(c). Accordingly, notwithstanding the foregoing, a covered person shall consult the Board and the Association's legal counsel prior to disclosing information pursuant to a valid court order or subpoena relating to a civil action in a Utah state court if the documents, information, or testimony sought concern a matter discussed during closed session pursuant to Utah Code Ann. § 57-8a-226(3)(b).

A covered person may consult independent counsel about personal rights and duties and may express disagreement or communicate nonprotected facts in an individual capacity. This permission does not authorize unilateral waiver of the Association's privilege or distribution of privileged Association advice to personal counsel. Seek independent guidance about how to raise concerns without improperly disclosing protected material. The Board shall not retaliate for lawful disclosures, records requests, good-faith reporting, or disagreement.

7. Who may speak for LRE

The President or another Board-designated representative may issue statements on behalf of the Association within Board-approved authority. Trustees remain free to express personal views and accurately describe public Board action, while identifying when they are speaking individually. Do not represent a preliminary discussion or personal opinion as an adopted Board position. The Secretary and management may fulfill lawful records requests without obtaining case-by-case communications approval.

8. Privilege and classification

The Association is the client for legal advice obtained on its behalf. Only a legally authorized Association decision-maker may authorize waiver, with counsel's advice. Copying an attorney, discussing a legal issue, or adding a footer does not by itself create privilege. AI-generated legal analysis is not attorney-client privileged merely because it is circulated internally.

Use "Internal Board Communication" for routine internal work. Use "Confidential Handling Required" only where a protected category applies. Use "Attorney-Client Privileged" or "Attorney Work Product" only when the legal requirements are met. Labels neither expand statutory withholding authority nor prevent lawful reporting. Classification disputes go to the Board with counsel's guidance, not solely to the person imposing the label.

Preservation and Breach Review

9. Record preservation and transitions

Preserve Association business records, including relevant email threads, attachments, approval records, and disclosure decisions, under applicable law and the Association's retention schedule. A litigation hold overrides routine deletion. Do not destroy or alter evidence to conceal a disclosure. At the end of service, return Association records and credentials promptly, preserve records subject to a hold, and remove unnecessary access under a documented transition process. Any deletion of duplicate personal copies must follow counsel's guidance and the retention schedule.

10. Suspected unauthorized disclosure

Report a suspected loss, misdirected email, or unauthorized disclosure promptly to the President and Secretary, or to a disinterested trustee if either is implicated. Do not further circulate the material to prove the allegation. Preserve relevant evidence. The disinterested Board members, with management and counsel as appropriate, will assess the facts, mitigate harm, and determine any required notices. Ask unintended recipients to stop distribution; do not request destruction contrary to a retention duty or litigation hold.

Before making an adverse finding, give the affected person written notice of the specific conduct and policy provision at issue, a reasonable opportunity to respond, and a decision by disinterested decision-makers. Consider whether disclosure was authorized, required, protected by law, or already public. Apply this policy consistently. Maintain a record of findings and actions without unnecessary disclosure of protected information.

Available measures, only to the extent authorized by law and governing documents, may include education, a corrective directive, censure, proportionate security changes, or contractual remedies. Do not deny a serving trustee access reasonably necessary to perform lawful duties merely because that trustee dissents or is accused of a breach. This policy creates no automatic removal, suspension of voting rights, monetary fine, fee shifting, or personal liability. Trustee removal or litigation requires independent legal authority and the applicable process. No sanction may punish a lawful or protected disclosure.

11. Review and amendment

The Board will review this policy annually and when applicable law changes. Amendments must follow required procedures. An invalid provision will be limited or severed to the extent lawful without expanding confidentiality obligations elsewhere. A signature below confirms receipt and understanding; it does not waive legal rights or expand the Association's enforcement powers.

12. Standard email notice LRE BOARD COMMUNICATION — CONFIDENTIALITY NOTICE
This email and its attachments are intended for the identified recipients for Association business. Protect sensitive personal information and confidential legal communications. Do not distribute protected information beyond authorized recipients unless disclosure is authorized, required, or protected by law. Nothing in this notice limits statutory owner records rights, required disclosures, lawful reporting, testimony, or access to legal advice. This notice does not independently create attorney-client privilege. If received in error, notify the sender and refrain from further distribution. Preserve records required by law or a litigation hold.

Acknowledgment of Policy Receipt

Acknowledgment of Receipt

I acknowledge receipt of the LRE Board Confidentiality and Information Handling Policy, adopted _____. I have read it and agree to follow its lawful requirements in my Association role. I understand that it preserves statutory records rights, lawful reporting, and individual disagreement. It does not establish blanket secrecy, create privilege, waive my legal rights, or authorize penalties beyond those independently permitted by law and governing documents.

Name:	
Role:	
Signature:	
Date:	

A refusal to sign should be documented and addressed through orientation or counsel review. It does not automatically create grounds for removal, fines, or denial of records or trustee access.

Legal references for counsel review
Prepared October 14, 2026. Confirm current law and LRE's governing documents before adoption. This package is proposed policy language, not a legal opinion.
Utah Code §57-8a-217 — Rule adoption and owner disapproval. https://le.utah.gov/xcode/Title57/Chapter8A/57-8a-S217.html
Utah Code §57-8a-226 — Board meetings. https://le.utah.gov/xcode/Title57/Chapter8A/57-8a-S226.html
Utah Code §57-8a-227 — Records and permitted redactions. https://le.utah.gov/xcode/Title57/Chapter8A/C57-8a-S227_2026050620260506.html
Utah Code §57-8a-228 — Governing document hierarchy. Utah Rule of Evidence 504 — Legal professional and client privilege. https://legacy.utcourts.gov/rules/view.php?rule=504&type=ure