

Generic Records Retention Policy

Association Records

This document is meant to provide general guidance on the types of records listed below and does not purport to include all categories of Association records. We encourage community associations to work with their counsel to answer specific questions unique to the Association’s document storage and retention practices.

Association shall retain all records of all kinds for the first eleven years of operation, following completion of the development. If the Association has initiated litigation, or has any information suggesting litigation will be initiated, no records shall be destroyed pending completion of the litigation, and only upon review by counsel for purposes of evaluation of “litigation hold” requirements concerning document retention.

Subject to compliance with litigation holds requiring forbearance from destruction of records which may be required for production in the litigation proceeding, following the eleventh year after completion of the original construction of the property, Association records will be maintained as follows:

Type of Record	Retention Period ¹	Electronic Storage OK	Keep Hard Copy ²
Corporate documents (Articles of Incorporation, Governing Documents, Rules & Regulations including all changes and amendments)	Permanent	X	
Minutes of Meetings (Membership Meetings, Board of Directors Meetings in Open and Executive Session (Keep Executive Session Minutes separate), Board Organizational Meetings, Board Committee Meetings)	Permanent	X	

¹ For records with specific “retention periods” described herein, an Association may wish to continue to maintain the records electronically, even beyond the “retention period,” unless the Board has adopted a separate policy related to the purging of its records. However, this issue should be discussed with Association’s legal counsel for particularized advice on specific records.

² Certain records subject to inspection pursuant to California law in Civil Code (sections 5200 et seq.) and Corporations Code (sections 8310 et seq.), must be maintained “in written form” by the Association. We interpret “written form” to include electronically stored information, so long as the Association may print the record and with the exception of active records, the record cannot be altered.

Type of Record	Retention Period	Electronic Storage OK	Keep Hard Copy
Records of Board Elections, Special Elections, Special Assessment Votes, and Any Other Votes of the Membership	Permanent	X	
Association and Board Policies	Permanent	X	
Resolutions of the Board	Permanent	X	
Financial Reports and Documents (Annual Budgets, Year-end Financial Reports)	Permanent	X	
Financial Reports and Documents - continued (Annual Audits, Federal and State Tax Returns, Financial Accounting Electronic Files) ³	Permanent	X	X
Association Candidate Registration List and Voter Registration List For the First Year from Notice of Election Results Provided to Board and Members or any Challenge to Election, whichever is later, held by Inspector of Elections or its Designee, Then by Association Until 3 Fiscal Years have Elapsed	3 Fiscal Years	X	X
Association Membership Lists* <i>*Except for Membership Lists Used to Establish Voting Rights, which shall be 3 Fiscal Years from Conclusion of Vote or Election Challenge.</i>	As Updated*	X	
Legal Documents (including Records of Legal Actions for delinquent Fee Payments, Claims and Litigation Files where Association is a Party, Legal Opinions on which Association Actions were based) Settlement Agreements with Original Wet Signatures ⁴	Permanent	X	X (Keep Hard Copies With Original Wet Signatures)
Procurement Records (Purchase Orders, Invoices, Check Requests, Competitive Bidding and Sole Source Documentation)	10 years	X	
Reserve Studies	10 years	X	
Insurance Policies and Records of Claims against Insurance Policies	10 years	X	
Type of Record	Retention Period	Electronic Storage OK	Keep Hard Copy

³ The Association should seek advice from its CPA or tax expert before discarding any tax-related related records and should seek advice on maintaining original hard copies of tax-related records for a certain time period.

⁴ If the Association has in its possession, signed Settlement Agreements with original wet signatures, these hard copies with original wet signatures should be maintained. If the records do not contain wet signatures, electronic storage only is acceptable.

Financial Records (Bank Statements, Deposit Slips, Cancelled Checks, Check Reconciliations, General Ledgers, Income and Expense Statements)	10 years	X	
Employee Personnel Records (After Termination)	10 years	X	
Employee Expense Records	6 years	X	
Accounts Receivable and Payable Records	6 years	X	
Expired and Terminated Contracts (With Original Wet Signatures) ⁵	At least 6 years ⁶	X	X
General Correspondence (Including Emails)	4 years	X	
Ballots, Balloting Envelopes, Proxies For the First Year from Notice of Election Results Provided to Board and Members or any Challenge to Election, whichever is later, held by Inspector of Elections or its Designee, then by Association Until 3 Fiscal Years have Elapsed	3 Fiscal Years	X	X
Judgments and Recorded Abstracts	Until the Judgment is Satisfied	X	
Architectural Applications and Approvals (With Non-Document Materials or Samples that Cannot Be Easily Scanned) ⁷	Permanent	X	X (Keep Materials and Samples)
Recorded Easements, Licenses, Maintenance and Indemnity Agreements and Similar Documents (With Original Wet Signatures) ⁸	Permanent	X	X (Keep Hard Copies with Original Wet Signatures)
Reports with Original Engineers' Stamps	Permanent	X	X
Any Design Build Plans or Specifications that Cannot be Easily Scanned	Permanent	X	X
Written Reports Generated from Inspections Pursuant to Civil Code 5551	18 years	X	

⁵ If the Association has contracts with original wet signatures, hard copies should be kept for the full 6-year period, and thereafter the Association may choose to maintain the contracts electronically.

⁶ The Association should review all contracts prior to discarding the records to determine if there are applicable warranty periods, or if it has any insurance obligations to maintain the records. Consult legal counsel for advice on this issue.

⁷ If the Architectural Application contains materials or other samples that are not documents and cannot be easily scanned, the original sample materials should be maintained.

⁸ If the Association maintains original copies of any wet signed original recorded documents, those physical records should be kept. If the record is not a wet signed version, electronic storage only is acceptable.