June 24, 2025

Rolling Hills Colony Property Owners' Association, Inc. TRINA SMART, Registered Agent 24738 Donegal Street Hempstead, TX 77445

#### **REVISED**

# **Notice of Intent to File Petition**

In accordance with Section 209.005 of the Texas Residential Property Owners Protection Act, you are hereby notified of our intent to file a petition with the Waller County Justice of the Peace, Precinct One.

# **Denial of Request for Access to Records**

In accordance with Section 209.005 of the Texas Residential Property Owners Protection Act, a written request for access to the books and records of the association was sent to the association's registered agent. This request was sent via certified mail and was received by the registered agent on June 5, 2025. The association denied this request by failing to respond within 10 business days as required under this subsection. Section 209.005 of the Texas Residential Property Owners Protection Act further states:

"(n) A member of a property owners' association who is denied access to or copies of association books or records to which the member is entitled under this section may file a petition with the justice of the peace of a justice precinct in which all or part of the property that is governed by the association is located requesting relief in accordance with this subsection."

Thank you,

James Basham, Property owner

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24698 Donegal Street

Hempstead, TX 77445

Jenny Basham, Property owner

24698 Donegal Street Hempstead, TX 77445

Enclosure: Copy of original Request for Copies of Records

Rolling Hills Colony Property Owners' Association, Inc. TRINA SMART, Registered Agent 24738 Donegal Street Hempstead, TX 77445

#### Request for Copies of Records

in accordance with the Texas Residential Property Owners Protection Act, I am requesting copies of the following records regarding the Rolling Hills Colony Property Owners' Association, Inc.:

- 1. All formation documents, including Articles of Incorporation, Certificate of formation, Bylaws, Declarations and/or Restrictive Covenants
- 2. All lawful amendments to formation documents, including Articles of Incorporation, Certificate of formation, Bylaws, Declarations and/or Restrictive Communications
- 3. All bank account Registrations, Agreements, Resolutions, and/or Authorizations for Accounts
- 4. All financial records, bank statements and financial transactions, to include detailed receipts, invoices, bills and approved expense reports for each expense transaction and property owner name for each income transaction
- 5. All bills and invoices paid, including but not limited to electricity provider, pool and facilities maintenance and repairs, website tees, uability insurance carrier(s), attorneys
- 6. Any and all unpaid bills and invoices
- 7. All signed contracts
- 8. All minutes of meetings of the owners
- 3. All minutes of meetings of the board
- 10. Any and all audio recordings of meetings of the board
- 11. Name and Address of all current property owners
- 12. All financial audit findings
- 13. List of approved capital expenditures for the current fiscal year
- 14. Current approved operating budget
- 15. All Certificates of Insurance
- 16. Current Management Certificate
- 17. All IRS tax returns
- 18. All correspondence to and/or from the IRS

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- 19. All correspondence to and/or from the Texas Secretary of State
- 20. All adopted policies and procedures, along with each amendment to each adopted policy and procedure
- 21. All community rules and regulations for use of facilities, amenities and property owned by the Association, along with each amendment to each rule and regulation for use of facilities, amenities and property owned by the Association

Any electronic copies of records may be sent to basham4rollinghillsowners@gmail.com.

### Request for Inspection of Records

In accordance with the Texas Residential Property Owners Protection Act, I am requesting access to inspect the following records regarding the Rolling Hills Colony Property Owners' Association, Inc.:

- 1. QuickBooks Online software
- 2. Any other software used to manage any part of the property owners' association

Thank you,

Jámes Basham, Property owner

24698 Donegal Street Hempstead, TX 77445

Jenny Basham, Property owner

24698 Donegal Street Hempstead, TX 77445