

Effective 5/6/2026

57-8-17 Records -- Availability for examination.

- (1)
 - (a) Subject to Subsection (1)(b) and regardless of whether the association of unit owners is incorporated under Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act, an association of unit owners shall keep and make available to unit owners:
 - (i) each record identified in Subsections 16-6a-1601(1) through (5), in the manner described in Sections 16-6a-1601, 16-6a-1602, 16-6a-1603, 16-6a-1605, 16-6a-1606, and 16-6a-1610; and
 - (ii) a copy of the association's:
 - (A) governing documents;
 - (B) most recent approved minutes;
 - (C) most recent annual budget and financial statement;
 - (D) most recent reserve analysis;
 - (E) certificate of insurance for each insurance policy the association of unit owners holds;
 - (F) management committee meeting minutes from the previous three calendar years;
 - (G) profit and loss statement for the previous three fiscal years; and
 - (H) balance sheet for the previous three fiscal years.
 - (b) An association of unit owners may redact the following information from any document the association of unit owners produces for inspection or copying:
 - (i) a social security number;
 - (ii) a bank account number; or
 - (iii) any communication subject to attorney-client privilege.
 - (c) The following are considered property of the association:
 - (i) a record or document described in Subsection (1)(a)(i) or (ii); and
 - (ii) the funds contained in an account described in Section 57-8-60.
 - (d) If a person other than the association of unit owners has control over or possession of a record described in Subsection (1)(a)(i) or (ii), the person shall, upon the association's request, provide the record to the association of unit owners without charge.
- (2)
 - (a) In addition to the requirements described in Subsection (1), an association of unit owners shall:
 - (i) make documents available to unit owners in accordance with the association of unit owners' governing documents; and
 - (ii)
 - (A) if the association of unit owners has an active website, make the documents described in Subsections (1)(a)(ii)(A) through (C) available to unit owners, free of charge, through the website; or
 - (B) if the association of unit owners does not have an active website, make physical copies of the documents described in Subsections (1)(a)(ii)(A) through (C) available to unit owners during regular business hours at the association of unit owners' address registered with the Department of Commerce under Section 57-8-13.1.
 - (b) Subsection (2)(a)(ii) does not apply to an association as defined in Section 57-19-2.
 - (c) If a provision of an association of unit owners' governing documents conflicts with a provision of this section, the provision of this section governs.
- (3) In a written request to inspect or copy documents:
 - (a) a unit owner shall include:
 - (i) the association of unit owners' name;

- (ii) the unit owner's name;
 - (iii) the unit owner's property address;
 - (iv) the unit owner's email address;
 - (v) a description of the documents requested; and
 - (vi) an election or a request described in Subsection (3)(b); and
- (b) a unit owner may:
- (i) elect whether to inspect or copy the documents;
 - (ii) if the unit owner elects to copy the documents, request hard copies or electronic scans of the documents; or
 - (iii) subject to Subsection (4), request that:
 - (A) the association of unit owners make the copies or electronic scans of the requested documents;
 - (B) a recognized third party duplicating service make the copies or electronic scans of the requested documents;
 - (C) the unit owner be allowed to bring any necessary imaging equipment to the place of inspection and make copies or electronic scans of the documents while inspecting the documents; or
 - (D) the association of unit owners email the requested documents to an email address provided in the request.
- (4)
- (a) An association of unit owners shall comply with a request described in Subsection (3) within 10 business days after the day on which the association of unit owners receives the request.
 - (b) If an association of unit owners produces the copies or electronic scans:
 - (i) the copies or electronic scans shall be legible and accurate;
 - (ii) the unit owner shall pay the association of unit owners the reasonable cost of the copies and for time spent meeting with the unit owner, which may not exceed:
 - (A) the actual cost that the association of unit owners paid to a recognized third party duplicating service to make the copies or electronic scans; or
 - (B) 10 cents per page and \$20 per hour for the employee's, manager's, or other agent's time making the copies or electronic scans; and
 - (iii) the association may not charge the unit owner for any costs associated with fulfilling a request for the electronic transmission of the documents described in Subsection (3).
 - (c) If a unit owner requests a recognized third party duplicating service make the copies or electronic scans:
 - (i) the association of unit owners shall arrange for the delivery and pick up of the original documents; and
 - (ii) the unit owner shall pay the duplicating service directly.
 - (d) Subject to Subsection (9), if a unit owner requests to bring imaging equipment to the inspection, the association of unit owners shall provide the necessary space, light, and power for the imaging equipment.
 - (e) An association may comply with a request described in Subsection (3) by posting the documents described in Subsection (3) to the association's website or online owner portal.
- (5) If, in response to a unit owner's request to inspect or copy documents, an association of unit owners fails to comply with a provision of this section, the association of unit owners shall pay:
- (a) the reasonable costs of inspecting and copying the requested documents;
 - (b) for items described in Subsections (1)(a)(ii)(A) through (C), \$25 to the unit owner who made the request for each day the request continues unfulfilled, beginning the eleventh business day after the day on which the unit owner made the request; and

- (c) reasonable attorney fees and costs that the unit owner incurs in obtaining the inspection and copies of the requested documents.
- (6)
 - (a) In addition to any remedy in the association of unit owners' governing documents or as otherwise provided by law, a unit owner may file an action in court under this section if:
 - (i) subject to Subsection (9), an association of unit owners fails to make documents available to the unit owner in accordance with this section, the association of unit owners' governing documents, or as otherwise provided by law; and
 - (ii) the association of unit owners fails to timely comply with a notice described in Subsection (6)(d).
 - (b) In an action described in Subsection (6)(a):
 - (i) the unit owner may request:
 - (A) injunctive relief requiring the association of unit owners to comply with the provisions of this section;
 - (B) \$1,000 or actual damages, whichever is greater; or
 - (C) any other relief provided by law; and
 - (ii) the court may award costs and reasonable attorney fees to the prevailing party, including any reasonable attorney fees incurred before the action was filed that relate to the request that is the subject of the action.
 - (c)
 - (i) In an action described in Subsection (6)(a), upon motion by the unit owner made in accordance with Subsection (6)(b), notice to the association of unit owners, and a hearing in which the court finds a likelihood that the association of unit owners failed to comply with a provision of this section, the court shall order the association of unit owners to immediately comply with the provision.
 - (ii) The court shall hold a hearing described in Subsection (6)(c)(i) within 30 days after the day on which the unit owner files the motion.
 - (d) At least 10 days before the day on which a unit owner files an action described in Subsection (6)(a), the unit owner shall deliver a written notice to the association of unit owners that states:
 - (i) the unit owner's name, address, telephone number, and email address;
 - (ii) each requirement of this section with which the association of unit owners has failed to comply;
 - (iii) a demand that the association of unit owners comply with each requirement with which the association of unit owners has failed to comply; and
 - (iv) a date by which the association of unit owners shall remedy the association of unit owners' noncompliance that is at least 10 days after the day on which the unit owner delivers the notice to the association of unit owners.
- (7)
 - (a) The provisions of Section 16-6a-1604 do not apply to an association of unit owners.
 - (b) The provisions of this section apply regardless of any conflicting provision in Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act.
- (8) A unit owner's agent may, on the unit owner's behalf, exercise or assert any right that the unit owner has under this section.
- (9) An association of unit owners is not liable for identifying or providing a document in error, if the association of unit owners identified or provided the erroneous document in good faith.

Amended by Chapter 62, 2026 General Session

