

OWNERS ASSOCIATION OF ELK MEADOWS ESTATES, INC

DATA PROTECTION POLICY

The following Data Protection Policy was adopted by the Board of Directors of the Owners Association of Elk Meadows Estates, Inc. ("Association"), at a regular meeting of the Board of Directors.

Effective Date: November 14, 2019

WHEREAS, effective September 1, 2018, C.R.S. § 6-1-713 et seq. requires any entity in the course of business that maintains, stores, or processes Personal Identifying Information of individuals to comply with rules regarding the security and disposal of Personal Identifying Information; and

WHEREAS, the Association is organized a nonprofit corporation organized under the state of Colorado, and is a "covered entity" required to comply with said rules; and

WHEREAS, under C.R.S. § 6-1-716(3), the Association is deemed in compliance with the requirements of the statute if it maintains its own notification procedures as part of a policy regarding the treatment of Personal Identifying Information; and

WHEREAS, the Board of Directors of the Association has the authority to adopt rules and regulations, pursuant to C.R.S. § 38-33.3-302(1)(b); and

WHEREAS the Board of Directors of the Association believes that it is in the Association's best interests to adopt this Data Protection Policy; and

NOW, THEREFORE, The Board of Directors adopts the following Data Protection Policy:

1. **Definition of Personal Identifying Information:** Under C.R.S. § 6-1-713, and for purposes of this policy, Personal Identifying Information ("PII") shall mean and include social security numbers, personal identification numbers, passwords, passcodes, state-issued driver's licenses or identification cards, passport numbers, biometric data, employer/student/military identification numbers, or financial transaction devices of any owner(s) in the Association.
2. **Disposal of Personal Identifying Information:** The Association shall, on a periodic basis or when the PII is no longer needed, whichever is sooner, destroy or arrange for the destruction of any papers or electronic documents within its custody or control that contain PII of any owner(s) by shredding, erasing, or otherwise modifying the PII to make it unreadable or indecipherable through any means.
3. **Investigation of Security Breach:** In the event the Association becomes aware that a security breach concerning computerized data that includes PII of any owner(s) in the Association, OR in the event that the Association becomes aware of a security breach involving any confidential process, encryption key, or other means to acquire the PII of any owner(s), then the Association shall conduct in good faith a prompt investigation to determine the likelihood that such PII has been or will be misused.
4. **Required Disclosure of Security Breach:** Unless the above-required investigation determines that the misuse of PII of any owner(s) in the Association has not occurred and is not reasonably likely to occur, the Association shall provide notice of the breach to the

affected owner(s). Notice shall be made in the most expedient time possible, but no later than thirty (30) days after the date of a determination that a security breach occurred. The Association shall not charge any cost of providing such notice to such owner(s). All Notices shall be delivered by First Class Mail, postage prepaid.

5. **Content of Notice:** In the case of a breach of PII, the notice required in paragraph (4) of this policy shall include, at a minimum, the following information:
 - a. The date, estimated date, or estimated range of the security breach.
 - b. A description of the PII that was acquired or reasonably believed to have been acquired as part of the security breach.
 - c. The toll-free numbers, addresses, and websites for consumer reporting agencies.
 - d. The toll-free number, address, and website for the Federal Trade Commission.
 - e. A statement that the Owner(s) can obtain information from the Federal Trade Commission and the Credit Reporting Agencies about fraud alerts and security freezes.
6. **Restoration of Breached Data:** If the Association's investigation required in paragraph (3) of this Policy reveals that the PII of any owner(s) has been misused or is reasonably likely to be misused, then in addition to sending the above-required Notice, the Association shall, within thirty (30) days after the determination that a breach has occurred, direct the owner(s) whose PII has been breached to promptly change his or her password and security question or answer (if applicable), or to take other steps appropriate to protect the owner(s) account and any other accounts for which the owner(s) use(s) the same username, email address, password, or security question/answer.
7. **Community Association Manager ("CAM") Compliance:** If the Association's CAM is the subject of a security breach which compromises any owner(s) PII, then the CAM shall give notice and cooperate with the Association by notifying the Association's Board of Directors in the most expedient time possible, if misuse of PII of any owner(s) is likely to occur.
8. This policy shall replace and supersede all previous policies, rules, and regulations regarding the subject matter of this Policy.
9. In the event that a court of competent jurisdiction finds any portion of this policy void or otherwise unenforceable, the other provisions shall remain in full force and effect.
10. The Board shall review this policy annually. The board may amend this policy when such a modification is deemed to be in the best interests of the Association.

The undersigned hereby certifies that the foregoing Data Protection Policy was adopted and made a part of the minutes of the meeting of the Board of Directors of the Association conducted on November 14, 2019, and in witness thereof the undersigned has subscribed his/her name.

Owners Association of Elk Meadows Estates, Inc.

By: Stephanie Kissner, Andrew Temple, Eddie Kemper, Willy Krois, Maggie Guscott, EMHOA Board of Directors (Signatures on file) _____

As per #10 above, this policy has been reviewed on March 31, 2024, by the Board of Directors.

Board signatures on file

Formatting was corrected and performed by Pam East.

In an effort to simplify version control, from this date forward, all policy reviews will be tracked via a tracking document and kept on file rather than changing the review date on each policy every year, with the exception being any policy that requires amending.

Amendment tracking information:

Date	Amendment Details
04/06/2024	Added item #10 re: annual policy review.