

**HIGHLAND HILLS MAINTENANCE COMMISSION  
Board of Trustees**

**BOARD POLICY 1-6**

Dated: 1 March 2006

**TITLE: USE OF HHMC INFORMATION**

**PRIMARY RESPONSIBILITY:** Board of Trustees

**REFERENCE:** RCW 64.38.045

**BACKGROUND:**

From time to time, an HHMC member may become aware of an HHMC record (including without limitation a proposed or final budget or other financial record or a contract between HHMC and a third party), some other document generated by the Board or a trustee, officer or committee member in the course of his or her duties and functions, or some other written or oral information regarding HHMC so generated. Such awareness may come about through written or oral disclosure by a trustee, officer or committee member at a Board meeting or meeting of members, through inclusion in materials sent to members by HHMC in connection with a meeting of members, through inclusion in or as an attachment to or enclosure with HHMC's monthly newsletter, through an examination of HHMC records, or otherwise.

Such records, documents and information ("HHMC Information") belong to HHMC. They and the information included in them are the business of HHMC and its members and are not the business of non-members.

**PURPOSE:**

This Policy defines the appropriate use of HHMC Information by members. It is not intended to diminish free and open communication among members regarding HHMC business, but rather to avoid the potential harm to HHMC and adverse effect on the values of property in Highland Hills that might result from intentional or inadvertent disclosure to non-members.

**USE OF INFORMATION:**

HHMC Information is and shall remain the property of HHMC. HHMC Information is not the property of any HHMC member or of any person or entity that is not an HHMC member (a "third party"). Accordingly, HHMC Information may not be used for any commercial purpose without the express prior written consent of the Board.

HHMC Information that at the time of its potential disclosure by a member has not previously been officially publicly disclosed by HHMC is referred to as "Private HHMC Information."

Private HHMC Information may not be disclosed to any third party except (i) by a trustee, officer or

committee member in the course of the performance of his or her duties and functions or (ii) by any member as expressly provided in the next paragraph. Disclosure of Private HHMC Information on or through a website accessible to third parties will constitute improper disclosure to third parties.

Private HHMC Information may be disclosed by a member (i) to another HHMC member, provided the disclosing member reminds the other member at the time of disclosure that the information is to be treated as provided above, (ii) to the member's counsel and/or accountant upon receipt of an agreement that the information is to be treated as provided above (for the performance of which the disclosing member will be responsible), (iii) as necessary, but only to the extent necessary, in any litigation or other legal proceeding involving the subject matter of such Private HHMC Information, and (iv) as may be required by law.

For purposes of the foregoing: (i) each of HHMC's governing documents, whether or not publicly filed, will be considered to have been officially publicly disclosed by HHMC; (ii) publication in the body of (but not inclusion as an attachment to or enclosure with) HHMC's monthly newsletter will be considered official public disclosure; but (iii) oral or written disclosure in connection with or at a Board meeting or meeting of members will not be considered official public disclosure.

**PENALTY:**

In addition to all available legal remedies for enforcement, including without limitation injunctive relief, violation of the Policy will cause a member to be subject to penalty under Board Policy 1-4.