

Office of Administrative Hearings

Electronic submission for docket **25F-H074-REL**
Complainant/Petitioner/Appellant exhibits
To Administrative Law Judge

Filing date: **11/2/2025**

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Submission and grounds

Please find attached A.R.S. § 33-1805 (Association financial and other records). This statute imposes the Association’s legal duty to make its records reasonably available for examination and to provide copies upon written request within the statutory timeframe. The recall-related materials I requested—emails (with attachments) concerning association business, petition/transmittal documents, notices, tallies, and related logs—are “financial and other records” within the meaning of § 33-1805(A) and are not excluded under § 33-1805(B) (which narrowly protects attorney-client, work-product, litigation-prepared materials, and personal identifying information). Accordingly, the Association must produce these records, with any necessary redactions rather than wholesale withholding.

Section 33-1805 contains no language allowing the Association to refuse production because responsive records are “held by a prior management company.” This was the argument provided during the mediation. The duty is on the Association, which must take reasonable steps to obtain its records from its former agent and produce them, using redactions only where a § 33-1805(B) exception truly applies.

Files submitted

AZ 33-1805.pdf

