

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) AFFIDAVIT TO RECORD

I, E. Richardson LaBruce, Esquire do hereby state that:

1. I serve as general counsel for Westbury Park Residential Association, Inc.
2. This Affidavit is made to record the attached Surveillance Camera & Access Control Security Policy for Westbury Park Residential Association, Inc. in order to meet the requirements of South Carolina Code §27-30-110, et seq. known as The South Carolina Homeowners Association Act which amended Title 27 of the 1976 Code of Laws of South Carolina.


FURTHER AFFIANT SAYETH NOT.



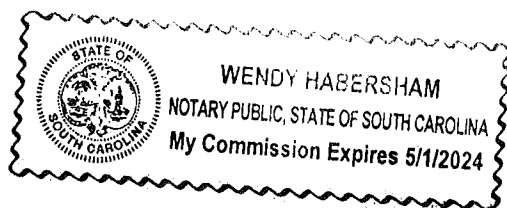
E. Richardson LaBruce, Esquire

SWORN to before me this

27 day of July, 2022.



Notary Public for South Carolina
My Commission Expires: 5.1.24





Surveillance Camera & Access Control Security Policy

Westbury Park Residential Association, Inc. (the Association) has installed surveillance cameras in several of the community's common areas, including but not limited to the two gate areas, some major road intersections, pool, fitness center and the pavilion area. In an effort to respect the privacy of all Members of the Association, the Board of Directors have approved the following policy to govern the use and access to the video surveillance provided by the cameras.

The cameras are not intended to prevent crime nor provide personal safety for Members, residents, tenants, guests or others in our community. The cameras and the resulting video surveillance images are intended to be used as a means of identification in the event of property damage or criminal activity. This policy limits where on Association property cameras can be placed, who has access to camera images, and how long recordings (if any) are to be maintained by the Association. The Association does not and cannot warrant that the equipment will always be functional and recording, as there may be times when the equipment or systems which support the camera's recordings are down for maintenance, repair, replacement or utility outages.

SCOPE: This policy applies to all video surveillance systems and electronic gate/door control access reporting systems installed on the Association's property or by the Association. The presence of video surveillance systems of the Association should be detailed on posted signage. This policy does not cover and is exclusive of personal surveillance equipment of Members on their Units.

INSTALLATION, PLACEMENT & MAINTENANCE OF EQUIPMENT:

Video Equipment & Access Control:

1. **Type of Equipment:** The Association will use Digital Video Recorders (DVR's) to collect and retain real-time, date and time stamped video for a minimum of thirty(30) days or longer depending on the equipment and the capacity limits of internal storage devices. The Association will also use electronic access control systems at vehicular entry gates, and all amenity areas including the pool, fitness center, and toilet rooms at the pavilion.
2. **Placement:** The Board shall have the authority to place video recording equipment on Association Common Property in visible locations based on desired coverage and lighting conditions. The Board shall endeavor to position the Association's Cameras so as not to willfully intrude on someone's reasonable expectation of privacy.
3. **Signage:** Signage indicating the use of surveillance cameras should be placed in reasonably conspicuous locations to notify individuals that the area is under video surveillance.

ACCESS TO VIDEO RECORDS

1. Access - Vendors: Except as otherwise set forth herein, access to video surveillance records shall be limited and restricted to the Association's management company, their designees (third party incident investigative vendor), the Association's legal counsel, and/or applicable surveillance equipment vendor.
2. Access – Board of Directors. The Board of Directors, in whole, will be allowed to view surveillance records only when a vote to do so by the majority of the Board has been approved and only in response to an event which has occurred including, but not limited to, vandalism, property damage, criminal activity, and generally only for purposes of identification or validation to support law enforcement or legal action.
3. Access - Law Enforcement: If access to video surveillance is requested for the purpose of a law enforcement investigation due to criminal activity or potential criminal activity, pertinent footage related to the investigation shall be provided to law enforcement officials by the Association's management company and/or their designees (third party incident investigative vendor). Only Association legal counsel and law enforcement may obtain and retain surveillance records onto portable media, and only in unusual circumstances. The Association management company retain records in secure storage, with the approval of the Board.
4. Access – Other: Video surveillance is a tool of the Association and not a service provided to the Members. Except as provided herein, Members and other third parties shall not be entitled to access, view, or receive copies of video surveillance records unless requested through subpoena, the South Carolina Civil Rules of Procedure or the Criminal Rules of Procedure.
5. Security - Storage: Active video records shall be stored in secured enclosures with limited access. Archived video records shall be stored only for investigative or legal purposes and shall be stored under the control of the Association's management company or Association's legal counsel. Under no circumstances shall video records be shared or disseminated except as permitted by this policy.
6. Fees: Fees to cover the cost of providing video records to the specific parties as described above shall be covered by the Association.
7. Any other requests for video records will require the review and approval by the Association's Board of Directors, which the Board may reject or approve in its sole and absolute discretion. If approved, any costs associated with providing such records shall be paid by the requesting party, including but not limited to the Association's vendor's costs.