

Collection of Association Fees Assessments and Service Charges

Effective: 3/26/2014

Supersedes: 3/31/2011

- A. All annual fees are payable in two equal installments, due January 1st and July 1st of each year. Semi-annual installments not paid by the close of business on the 10th of the month in which they are due shall be considered past due.
- B. Past due charges for Association Fees are as follows: (This complies with Association Bylaws)
 1. A “Notice of Delinquency” is sent if dues are not received by the 10th of the month in which they are due.
 2. If a payment is not received by the 10th of the following month (nominally 30 days from due date), a notice will be sent to the homeowner and a \$25 late fee assessed. If payment is still not received, an additional \$25 late fee shall be assessed on the 10th of the next two succeeding months (nominally 60 days and 90 days from the due date).
 3. If a payment is not received by the 10th of the fourth month past due (nominally 120 days from due date), the Association will contact its attorneys and initiate a lien process against the delinquent homeowner. The resulting legal fees will be charged to the homeowner’s account.
 4. If the past due amount is paid after the lien is processed by the attorney, additional legal fees may be charged to the homeowner’s account to process a discharge of lien.
 5. If dues are still not paid after one year, the Association has the option to file a lawsuit or proceed with foreclosure. The homeowner will be charged for the legal and court costs incurred (estimated to be \$1,000+).
- C. Checks returned by the bank as not collectible shall be subject to a charge of \$35. If a co-owner has two checks returned to the Association as not collectible, future payments may be required by the Association to be made by certified check, cashier’s check or money order, or automatic electronic payment.
- D. Any moneys received by the Association shall be applied as follows: first, to costs of collection and enforcement of payment, including reasonable attorneys’ fees; second, to any interest charges and fees for late payment on such installments; and third, to installments in default in order of their due dates. Any co-owner contesting amounts due the Association may make a payment for all amounts not contested and must accompany the payment with a signed notice of intent to contest specific amounts. Specific positive action to clarify the reason for contesting the amounts due and resolve the conflict must be filed with the Association Business Office within 10 business days.

- E. The violation of any of the provisions of the Site Condominium Documents by any co-owner shall be grounds for assessment by the Board of Directors of monetary fines for such violations. No fine shall be levied for the first notice of violation. Not fines shall exceed \$25 for the second notice of violation, \$50 for the third notice of violation, or \$100 for any subsequent violations.
- F. The managing agent for the Association is acting as an agent of the Association only to collect regular assessments and is not a collection agency or debt collector.