

## COLLECTION OF ASSOCIATION FEES ASSESSMENTS AND SERVICE CHARGES

### ARBOR HILLS ASSOCIATION

*(Revised March 31, 2011)*

- A. All annual fees are payable in two equal installments, January 1<sup>st</sup> and July 1<sup>st</sup>. Semi-annual installments not paid by the close of business on the 10<sup>th</sup> of the month 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 10<sup>th</sup> of the month in which they are due.
  2. If payment is not received by the 1<sup>st</sup> of the following month (nominally 30 days from due date), a notice will be sent to the homeowner and a \$25 fine assessed.
  3. If payment is not received by the 1<sup>st</sup> of the next succeeding month (nominally 60 days from due date), a notice will be sent to the homeowner and a \$50 fine assessed.
  4. If payment is not received by the 1<sup>st</sup> of the second succeeding month (nominally 90 days from due date), a notice will be sent to the homeowner and a \$100 fine assessed. The fine will continue to be \$100 per month until the account is brought current.
  5. After six months past due, a "Notice of Intent to Lien" is sent by the attorney. An additional fee of \$100, plus legal fees, is then charged to the homeowners account.
  6. After nine months past due, the lien is process by the attorney. Additional legal fees will be charged to the homeowner's account.
  7. If the past due amount is paid after the lien is process by the attorney, additional legal fees will be charged to the homeowner's account to process a discharge of lien.
  8. If the dues are still not paid after one year, the Board of Directors has the option to file a lawsuit or proceed with foreclosure. The homeowner will be charged for the 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 the 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 fines 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 ten 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. No fines shall exceed \$25 for the second notice of violation, \$50 for the third notice of violation, or \$100 dollars 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.