



Country Village Townhouse Association

Collection of Delinquent Assessments Resolution

WHEREAS, the Declaration of Covenants, Easements, Conditions, Bylaws and Rules and Regulations of the Country Village Townhouse Association set forth certain standards and restrictions with the intent to provide for, among other things: 1) the continued appearance of the property; 2) the protection of property values and 3) promote the safety, health and welfare of the members, and

WHEREAS, Article Fifteenth of the Declaration states, “The ASSOCIATION shall have the duty and obligation to: (A) enforce provisions of the covenants, restrictions and easements and (B) fix, levy, collect and enforce payment by any lawful means

WHEREAS, Article V of the bylaws grants the Board of Directors powers to collect Association charges; and establishes a remedy for default in payment of assessments; and

WHEREAS, there is a need to establish orderly procedures for the collection of Association charges which remain unpaid past their due date since delinquent Association charges pose a serious financial and administrative burden on the Association and

WHEREAS, Article V, Section 4, Paragraph (B) states, among other things, the delinquent owner shall be obligated to “pay interest ... (at) the highest rate permitted ... or 18% per annum...together with all costs and expenses paid or incurred...in connection with collecting such unpaid Association charges...without limitation, reasonable attorneys’ fees and disbursements and court costs.”

WHEREAS, the Board of Directors has a fiduciary duty to establish steps and make every effort to collect delinquent charges and

NOW, THEREFORE, BE IT RESOLVED THAT the following policies are adopted for collection of delinquent Association assessments.

Past due homeowners’ Assessment accounts will be dealt with through the following procedures:

- a. When 30 days past due the account will immediately be assessed 1.5% interest and an additional 1.5% per month (18% per year) until paid in full or other arrangements have been made.
- b. When 45 days past due a final payment statement will be sent to the owner from the Association's managing agent.
- c. When 60 days past due the account will be referred to the Association's attorney for action including, but not limited to, an initial collection letter, which will be billed to the owner's account at the standard professional fee. The current fee is \$150.00* per letter.
- d. When 90 days past due the Association's attorney will send a second collection letter, which will be billed to the owner's account at the standard professional fee. The current fee is \$150.00* per letter. In addition, a lien will be placed on the property at the current fee of \$300.00*.
- e. When 120 days past due the Association's attorney may take additional legal action including, but not limited to, court actions. All associated expenses including attorney's communications and legal fees associated with court actions will be billed to the owner's account at the current standard professional fee. The current fee is \$300.00* per hour.

(*fees subject to change based on attorney's rate).

Board of Directors
July, 2015