

## Collection Policy - Fiscal Year 2009/2010

### **Amounts Payable to Association**

These amounts shall be deemed to include, but are not limited to, regular assessments, special assessments, specific assessments, legal fees and other costs associated with collection of funds on behalf of the Association.

### **Payment Schedule**

Unless otherwise provided by the Board, the annual assessment is due and payable on the first day of the first month of the fiscal year. Payments may be made up to four months in advance at \$100 per month, which includes a service fee of \$1 per month.

### **Late and Interest Charges**

The installment of the annual assessment is due on the first day of the first month of the fiscal year. Payments are considered delinquent if not received on or before the due date. All other assessments are considered past due (delinquent) if payment is not received within 10 days of the indicated due date. A late charge of 25%, determined by the Board of Directors, shall be charged for all past due assessments if the payment has not been received within 10 days following the due date. Simple interest of 18% will accrue from the due date against all delinquent amounts.

### **Order of Crediting Payments**

Payments received shall be first applied to costs and attorney's fees, then to costs, then to late charges, then to interest, then to the delinquent assessments, then to current assessments.

### **Process for Delinquency Notification**

#### ***First Notice***

First Notice of past due charges, including detail of assessments, late charges, and any other charges that apply, will be sent to an owner whose balance is 10 days past due. This notice will be sent by the managing agent for the Association.

#### ***Second Notice***

Second Notice of past due charges, including detail of assessments, late charges, interest and other charges that apply, will be sent to an owner whose balance is 30 days past due by the managing agent for the Association.

### **Attorney Action and Attorneys' fees**

Any account over 60 days delinquent will be referred to the Association's attorney for collection at the discretion of the board. If a delinquent account is referred to an attorney for collection, the owner shall be charged the Association's attorney's fees actually incurred and all related costs. Liens and foreclosures will be used to recover fees due to the association.

### **Suspension of Right to Vote and Right to use Common Elements**

#### ***Right to Vote***

The voting rights of any owner who is shown on the books of the Association to be 30 days delinquent in any amounts due to the Association shall be automatically suspended.

#### ***Right to use Common Elements and Services***

In the event any assessment is delinquent 30 days or more, the Association may suspend the owner's right to use the common elements and common building services, provided the Board will not deny an owner's access to or from the owner's unit or lot. The Association will issue the delinquent owner at least 10 days written notice prior to any suspension of common element parking privileges or any Association or building services.