

Tudor Branch Community Association, Inc.
Resolution

Collection Policy

WHEREAS, The Community Charter for Tudor Branch grants to the Board of Directors the power to conduct Association business and Section 14.6 grants the Board power to impose assessments or other charges. The Association's economic well-being relies on the timely payment of assessments and other allowable charges and it is the Board's duty to use its best efforts to collect funds owed to the Association.

BE IT RESOLVED THAT the collection procedures set forth below shall be followed:

1. **AMOUNTS PAYABLE TO THE ASSOCIATION** include, but are not limited to, regular assessments, special assessments, rule enforcement fees, repairs to the common area that are an owner's responsibility, collection fees, legal fees, interest and late fees as allowed by law and other costs associated with collection of funds on behalf of the Association.

2. **PAYMENT SCHEDULE.** The regular annual assessment of \$560.00 is due on or before April 1st of each year. Homeowners have the option of paying the assessment in four equal installments of \$140.00 due on January 1st, February 1st, March 1st, and April 1st. Any assessment that is not paid in full by April 15th will be considered past due.

3. **LATE FEES, NSF & INTEREST CHARGES.**

- Any assessment not paid by April 15th shall bear interest at the rate of 10% per year.
- Any assessment not paid by April 15th shall incur a late charge of \$100.00.
- A \$35.00 NSF (Non-Sufficient Funds) charge will apply to any returned check.

4. **ORDER OF CREDITING PAYMENTS.** Payments received shall be first applied to collection expenses, then to the oldest of assessments owed, late charges, and interest, in that order.

5. **PROCESS FOR DELINQUENCY NOTIFICATION.** For all balances that are not paid within thirty (30) days of the due date, the following notification process applies:

- **LATE NOTICE.** A First Notice of Past Due Charges including assessments, late fees, NSF charges, interest and other charges owed will be sent by First Class Mail to an owner whose balance is thirty (30) days past due.
- **30 DAY DEMAND.** A Demand for Payment including the total amount due for assessments, late fees, NSF charges, interest charges, and other charges owed will be sent by First Class Mail to an owner whose balance is \$560.00 or higher. This Notice will recite intent to initiate legal proceedings if balance is not paid within 30 days. If the homeowner does not respond to the 30-day demand letter by paying the balance due or by making arrangements for payment over time, and the balance owed is at least \$560.00, then a lawsuit will be filed. If a homeowner who makes an arrangement to pay a balance over time does not adhere to the agreed upon plan, and the balance owed

is at least \$560.00, a lawsuit will be filed.

Attorney actions include but are not limited to filing a lien against the owner's property and pursuing a personal judgment against the owner.

6. LEGAL SERVICES. If a delinquent account is referred to McLeod & Murdock for collection, the owner shall be charged the Association's reasonable attorney's fees and related costs. The Association grants McLeod & Murdock, Attorneys at Law the authority to approve payment plans, prior to filing a lawsuit.

7. OTHER CHARGES. The Association may charge the owner for:

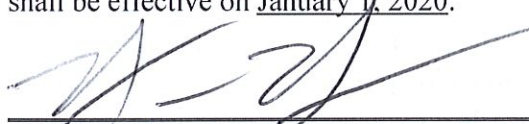
- Fees charged by third parties to collect funds payable to the Association;
- Notification, filing and satisfying of liens;
- Enforcement of the Association's Rules, Bylaws, Declaration or Policies;
- Costs of litigation and attorney's fees;
- Repairs to the Association's common areas that result from the acts of owners, occupants, their tenants or guests.

8. DEBT COLLECTION OPTIONS. In order to collect a debt owed to the property owners association by a member, the following options may be invoked to satisfy that debt:

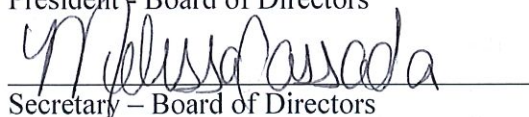
- Suspension of voting rights;
- Filing a lawsuit for the collection of amounts owed to the Association;
- Placing a Lien against the property owner's property;
- Garnishment of member's wages or bank account;
- Collection of rents due to homeowner for the homeowner association home;

BE IT FURTHER RESOLVED that a copy of this resolution shall be added to the Governing Documents on the Association's web site.

This resolution was adopted by the board of directors on November 4th, 2019, and shall be effective on January 1, 2020.



President - Board of Directors



Secretary - Board of Directors