

## **Creekside Village Homeowners Association Collection Policy**

Mailing of Annual Assessment Billing Statements to Homeowner - Assessment billing statements will be prepared and mailed on an annual basis (approximate mailing date: on or before December 1) by the Homeowners Association (HOA) or a designated management company.

Due Date for Annual Assessment: - The annual assessment will be due on January 1 each year and will become delinquent if not paid in full by February 1<sup>st</sup>.

Due Date of Other Charges Added to Homeowners Account - All other charges (i.e., special assessments for, collection costs, etc.) are due within 30 days of billing and delinquent if not paid within the 30 days.

Administrative Fee and Returned Checks - If any assessment become delinquent, a one time late fee of \$25.00 (as a cost of collection will be assessed to the homeowner's account to help defray administrative expenses of the Association incurred in collecting past due assessments) plus interest at the rate of 18% per annum. Interest will accrue from the due date of the assessment (January 1<sup>st</sup>). A payment check that is returned for any reason (NSF, closed account, etc.) will result in a charge of \$30.00 to be assessed to the homeowner's account.

The Board maintains sole authority to enter into payment plans with the homeowners. The homeowner may, upon written request, appear before the Board of Directors to discuss a payment plan for the purpose of settling a delinquent account.

### **STATEMENT MAILINGS AND ACTION STEPS**

Delinquency Statement - When an account becomes delinquent (as of February 1), the homeowner will receive a delinquency statement of the account balance (amount of the balance plus a \$25.00 late fee).

First Demand - If, as of March 1<sup>st</sup>, an account remains delinquent, the homeowner will receive a written demand for payment requesting that the homeowner pay all amounts due. A \$10.00 charge will be assessed to the homeowner's account, in addition to any previous charges, for preparing and sending the demand letter for payment.

Referral to Legal Counsel - If, as of April 1<sup>st</sup>, an account remains delinquent, the homeowner's account shall be referred to the association's attorney for collection purposes, which may include, but are not limited to, sending demand letters, filing Notices of Assessment Lien and instituting foreclosure. The filing of Notices of Assessment Lien and the institution of foreclosure must receive specific Board approval.

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## **Payment Application Policy**

Any payment received by Creekside Village Homeowners Association from an Owner whose account reflects an unpaid balance shall be applied to the outstanding balance in the following order:

First - Cost of Collection, including attorney's fees

Second - Violation Fines

Third - Late Charges

Fourth - Accrued but unpaid interest

Fifth - Special Assessments

Sixth - Annual Assessments