

# FOUNTAINS AT SUMMERFIELD CONDOMINIUM ASSOCIATION

## COLLECTION POLICY

Adopted by the Board of Directors January 2006

Revised by the Board of Directors September 2009

Revised by the Board of Directors May 2013

Article V, Section 1 of the By-Laws of the Fountains at Summerfield Condominium Association grants power to the Board of Directors to conduct Association business, and Section 2c of the By-Laws grants the authority to levy assessments against owners. The Board of Directors thereby resolves that these collection procedures shall be followed:

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

**PAYMENT SCHEDULE** The regular assessment is due and payable on the first of each month and, if not received or postmarked by the tenth of the month, will be considered past due.

**LATE FEES, NSF & INTEREST CHARGES** A late fee of \$10 will be charged after the 10th of the month on all delinquent balances. A \$10 NSF (Non-Sufficient Funds) charge will apply to any returned check. Any balance older than 30 days will incur a further charge of \$10 per month until paid.

In the event that a unit owner fails to pay an installment of an assessment when it is due, the Board may, after 10 days written notice, declare the defaulting unit owner's entire annual or special assessment due immediately and interest thereafter shall accrue on the entire assessment at twelve percent (12%) per annum until paid. (Bylaws, Article VIII, Section 5) The late fee continues to accrue in addition to the 12% interest per annum.

**ORDER OF CREDITING PAYMENTS** Payments received shall be first applied to assessments owed, then to late charges or collection expenses.

**PROCESS FOR DELINQUENCY NOTIFICATION** For all balances that are thirty (30) days past due, the following notification process applies:

**FIRST NOTICE** First notice of Past Due charges including detail of assessments, late fees, NSF charges, and other charges that apply will be sent by First Class Mail to an owner whose balance is thirty (30) days past due.

**SECOND NOTICE** Second notice of Past Due Charges including detail of assessments, late fees, NSF charges and other charges that apply will be sent by First Class Mail to an owner whose balance is sixty (60) days past due.

**10-DAY DEMAND** 10-day Demand for Payment including detail of assessments, late fees, NSF charges and other charges that apply will be sent by First Class Mail to an owner whose balance is seventy-five (75) days past due. This Notice will recite intent to turn the matter over to an attorney for collection enforcement if balance is not paid within 10 days. Attorney actions include but are not limited to filing a lien against the owner's property, a personal judgment against the owner and property foreclosure.

**LEGAL SERVICES** If a delinquent account is referred to an attorney for collection, the owner shall be charged the Association's reasonable attorney fees and related costs.

**OTHER CHARGES** The Association may charge the owner for: Foreclosure action or deed in lieu of foreclosure. Notification, filing and satisfying liens. Enforcement of the Association's Rules, Bylaws, Declaration or Policies. Costs of litigation. Repairs to the Association's common areas that result from the acts of owners, their tenants or guests. Owner Bankruptcy.

#### **STATEMENT FEE**

Homeowners who are refinancing and require the HOA to complete form(s) will be charged a Statement Fee of \$50 per form. Homeowners requesting any report beyond the monthly Balance Sheet, Income Statement and the Final Budget as is distributed to all Board Members will be charged \$10 per report payable in advance. The Board will make available free of charge an e-copy of the annual review of financials. If a hard copy is required of the annual review, a charge of \$10.00 will be made payable in advance to cover the expense of making the copy. If you have questions regarding additional payment options, please email [fountainhoa.18@gmail.com](mailto:fountainhoa.18@gmail.com)