

## Towne Meadows HOA RESOLUTION

### Towne Meadows HOA and Delinquent Homeowner Assessment Accounts Notification and Outstanding Balance Collection

*WHEREAS*, on Monday, October 20, 2003 at the regular monthly Board Meeting of Towne Meadows Homeowners Association Board of Directors, held at 7:00pm; and

*WHEREAS*, **Article 3.11, Section 3 of the Towne Meadows Rules & Regulations** empowers the Board of Directors to enforce by legal means the provisions of the CC&Rs including, without limitation, the collection of any assessments; and

*WHEREAS*, **Article 4, Section 6 of the Declaration of Covenants, Conditions and Restrictions for Towne Meadows** specifies that the Board may take any legal action necessary to collect assessments, including but not limited to establishing late fees, charging 12% interest on all outstanding amounts, initiate formal collection procedures, and initiate foreclosure procedures against a homeowner; and

*WHEREAS*, **Article 3.11, section 3 of the Bylaws** of Towne Meadows Homeowners Association empowers the Board of Directors to enforce by legal means the provisions of the Declaration; and

*WHEREAS*, the Board of Directors resolved that the Association community management company, at the direction of the Board of Directors, shall make concerted and reasonable attempts to collect or otherwise mutually resolve all outstanding homeowner accounts before initiating legal collection procedures; and

*NOW THEREFORE BE IT RESOLVED THAT* the Board, by unanimous consent of those in attendance, hereby establishes the following procedures for delinquent homeowner assessments:

- a. **15 days after the quarterly assessment due date**, to send written notification of the total assessment amount due plus a late fee,
- b. **30 days after the quarterly assessment due date**, to send a final written notice of the total amount due plus a fine,
- c. **60 days after the quarterly assessment due date**, to send a demand letter of the total amount due plus a fine,
- d. **90 days after the quarterly assessment due date**, to send a second demand letter of the total amount plus late fee with no additional fine,
- e. **120 days after the quarterly assessment due date**, to send an Intent to Refer to Collections letter plus a fine,
- f. **135 days after the quarterly assessment due date**, to initiate legal collections

*Delinquent Homeowner Assessment Accounts Resolution – continued*

*BE IT FURTHER RESOLVED THAT* the Towne Meadows HOA Board of Directors and Renaissance Community Partners shall afford homeowners the opportunity to request a hearing as provided by the Association documents to contest any late fee or fine assessed; and

*BE IT FURTHER RESOLVED THAT* the Towne Meadows HOA Board of Directors and Renaissance Community Partners shall afford homeowners the opportunity to initiate a time-payment plan in order to reduce or eliminate their outstanding debt to the Association as is specified in writing and mutually agreed to by the homeowner and TMHOA Board of Directors; and

*BE IT FURTHER RESOLVED THAT* any subsequent default, cessation or refusal to make timely and consistent payments on such time-payment plan shall constitute default on the part of the homeowner and shall result in initiation of legal collection procedures; and

*BE IT FURTHER RESOLVED THAT* the board shall retain the right to amend or repeal this resolution.

Executed this 17th day of November, 2003.

By: \_\_\_\_\_  
Randolph P. Gault, Secretary