

# **STANFORD TOWNHOMES HOMEOWNER'S ASSOCIATION**

## **Collection of Unpaid Charges Resolution**

Authority: ORS 94.630	Powers of the Association
Bylaws Section 4.2	Powers and Duties
Bylaws Article 13	Assessment Collection Costs; Suits and Actions
CC&R Article 10.7	Default in Payment of Assessments, Enforcement of Liens

The Board of Directors of Stanford Townhomes Homeowner's Association adopts this resolution to implement procedures to collect assessments (all amounts validly assessed against members) and other accounts receivable due the Association.

Assessments for any month are due and payable on the first day of that month. Any amount not paid by the 25<sup>th</sup> of the month is delinquent.

Interest shall accrue at the rate of eighteen percent (18%) per annum (1.5 % per month) from the date first due on all charges remaining unpaid after thirty (30) days.

In addition to interest charges described above, a late fee of 30% per month shall be assessed on the first day of each month on all charges remaining unpaid after sixty (60) days from the date first due.

The following procedure shall be adopted for collection of accounts receivable:

1. A billing statement shall be sent prior to the due date of each assessment or other charge imposed by the Board.
2. If any amount remains unpaid after 30 days, the Board shall send a notice of delinquency to the member indicating the amount due, including interest assessed from the original due date, demanding immediate payment. A member may request a hearing with the Board of Directors to dispute the circumstances, request mitigation of additional charges, or request extension of the payment period. The Board may approve an installment payment plan if it determines that such a plan is in the best interests of the Association.
3. If any amount remains unpaid after 60 days, the Board shall send a notice to the member indicating the amount due, including interest and late fees, and indicating that the account may be referred to collections at the time of 90 days from the original due date. The notice will inform the member that if the account remains unpaid, a lien will be filed against the property. The notice will also advise the member that all collection costs, including but not limited to preparing and sending any notices, attorney's fees, preparing and/or recording a lien, etc., will be assessed to the member and become part of the assessment owed. Any collection actions initiated on behalf of the Board will comply with the federal Fair Debt Collection Practices Act, if applicable.
4. If any amount remains unpaid after one year, the Board may decide to file suit seeking a money judgment, a lien foreclosure, or both. The process will be initiated by the Board's attorney in compliance with then applicable law.

This Resolution takes effect on May 17, 2007.

Adopted May 17, 2007 Bob Burke, Nancy Butler-Neary, Bruce DeYoung