

## RESOLUTION 06.002 - Collection of Assessments

REGARDING: Collection of Unpaid Assessments

SUBJECT: Adoption of a procedure regarding collection of unpaid assessments.

PURPOSE: To adopt a standard procedure to be followed whenever an assessment is sixty days or more in arrears.

AUTHORITY: The Declaration, Articles and Bylaws of the Association and Colorado law.

EFFECTIVE DATE: November 13<sup>th</sup>, 2006

RESOLUTION: The Association hereby adopts the following Policy and Procedures:

1. General.

This is to establish the collection procedure for unpaid assessments.

2. Policy

The following language will be included on all invoices to owners. "Pursuant to Covenant 15, all outstanding balances beyond 60 days of the Invoice Date, will be assessed a finance charge at the rate of 9% per annum, plus a minimum charge of \$20 for collection expenses.

3. Notification of Collection Procedure

On or about the closest business day to sixty days from the due date of payment a notice of being in arrears will be posted via US Postal Service and, if available, via electronic mail, to the delinquent owner indicating the following:

- (i) the purpose of the assessment
- (ii) the original due date
- (iii) the amount due and not paid,
- (iv) the interest rate chargeable from the due date of payment,
- (v) the minimum \$20 charge for collection expenses including but not limited to court and filing of lien related expenses,
- (vi) the amount due at the time of payment will include all costs and expenses of collection including but not limited to reasonable attorney's fees, and
- (vii) that failure to pay assessments shall constitute a lien against the lot of such owner from and after the time of notice of such failure to pay is recorded in the office of the County Clerk and Recorder.

#### 4. Filing of Lien

On or about ninety days from the original due date of the assessment a lien shall be filed against the lot of the delinquent owner in the office of the County Clerk and Recorder if the amount due has not been fully paid.

PRESIDENT'S CERTIFICATION: The undersigned, being the President of the Kings Row Homeowners Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on November 13, 2006 and in witness thereof, the undersigned has subscribed her name.

Kings Row Homeowners Association,

A Colorado non-profit corporation,

By: \_\_\_\_\_, President

Susan Cuseo