

## **GARROW-ST. CHARLES TOWNHOME ASSOCIATION, INC.**

### **FEES ASSOCIATED WITH ASSESSMENT COLLECTION POLICY**

1. Thirty days after the due date, from the due date, interest will be charged on the account at the rate of 18% per annum.
2. A late charge of \$25 per month will be charged on any assessment which is not paid within thirty days after the due date, from the due date.
3. Administrative fees, costs or other charges, including collection program and similar fees, imposed by Association's managing agent with prior approval of the Board, shall be added to each applicable delinquent assessment account - \$20 per month.
4. Compliance costs – addition to the charges indicated above, a defaulting Owner is obligated to pay all other costs incurred by the Association to collect any delinquent amounts due to the Association, including the costs of title reports, lien claim notice/affidavit preparation, filing fees, etc as set for in the adopted and recorded Collection Policy.
5. The Association may charge a \$25 fee for any check or payment returned due to insufficient funds.
6. Payment plans – the Association shall offer payment plans in accordance with the Assessment Collection Policy. Requests must be in writing, dated and signed by Owner and the proposed payment terms and amounts indicated. The Association will approve a minimum term of three months.
7. All payment plan agreements must be in writing, fully completed and signed by the applicable Owner. Managing agent will charge the applicable Owner \$100 for execution of the plan.
8. The total amount due under the payment plan shall be calculated as of the date of receipt by the Association of a proper request from the applicable owner. As long as the payment plan remains in effect, no additional monetary penalties will be added to the Payment Plan other than 1) reasonable costs associated with the administration of the payment plan, \$20/mo, and accrued interest.
9. If the owner defaults under the payment plan, the plan is terminated.
10. All amounts due under the payment plan agreement automatically become payable and due the Association.
11. The account of an owner 90 days or more who is not under an effective payment plan may be referred to the Association's attorney.
  - a. A final demand shall be sent, demanding payment in full in not less than 30 days
  - b. If not paid in full as stated in item 11a, the attorney shall prepare and file a lien claim notice/affidavit and send the delinquent Owner a notice of intent to proceed with foreclosure. The notice of intent must allow not less than 10 days to fully cure the delinquency. At this time, the Association attorney shall give written

notice to applicable lienholder providing notice and opportunity to cure the delinquency before the 61<sup>st</sup> day after the date the recipient receives the notice.

- c. If account remains unpaid in full pursuant to b above, the Association's attorney shall advise the Board. The Board may then authorize the attorney to proceed with foreclosure in accordance with the Association's governing documents and applicable law. All attorney fees incurred by the Association will be added back to the account of the Owner.

The Association shall comply with the following:

- 1) An annual notice of assessment and other amounts due to the Association shall be sent to Owner
- 2) One delinquent notice shall be sent to the Owner whose account is delinquent by thirty days or more
- 3) Notice shall be sent to the applicable Owner stating that attorney's fees and costs will be charged to the Owner if the delinquency continues after a date certain (which may be stated as a certain number of days after the date of the letter which is not less than 10 days).