

CHATHAM CREEK COMMUNITY ASSOCIATION ASSESSMENT COLLECTION PROCEDURES RESOLUTION

WHEREAS, Chatham Creek is a Planned Community that was established by the recording of a Declaration (the "Declaration") with the Recorder of Deeds of York County; and

WHEREAS, pursuant to the Declaration, the Chatham Creek Community Association (the "Association") is the governing body for all of the Unit Owners of Chatham Creek and has the authority for the determination, assessment, and collection of delinquent assessments for common expenses; and

WHEREAS, Section 5302(a)(11) of the Pennsylvania Uniform Planned Community Act gives the Executive Board the power to impose charges for late payment of assessments and Section 5315 of the Act provides that all assessments, fees, charges, late charges, fines, interest and costs of collection or enforcement are enforceable as assessments and are liens from the time the assessment becomes due and are enforceable through lien foreclosure procedures; and

WHEREAS, the Executive Board wishes to clearly define the procedures it will utilize to collect delinquent assessments;

NOW. THEREFORE, BE IT RESOLVED that, effective immediately, these procedures will be followed:

1. The annual assessment for Common Expenses shall be divided into two (2) equal semi-annual installments called Association Fees due Jan 11th and July 11th, each rounded to the nearest dollar. Each semi-annual Association Fee is due by the 11th day of the appropriate month.
2. Any account that is not paid in full by the 11th of the month shall be deemed delinquent. On the 11th of each month, a late fee of \$35.00 will be assessed to every account with a balance in excess of \$20.01. Interest shall accrue on all unpaid accounts at the rate of 15% per annum (1.25% per month).
3. The first time a delinquent balance exceeds one month's regular Association Fee, a letter shall be sent to the Unit Owner from the Board, with a copy of the Account History which shows the recent charges and payments, information on who the Unit Owner may contact to obtain further information and have questions answered. and a request for payment in full within twenty (20) days.
4. If the balance is not paid in full within the twenty (20) days and no other satisfactory arrangements are made, the remaining installments for the fiscal year shall become due and payable immediately (accelerated) and the account will be marked as a collection account. A letter will be sent notifying the Unit Owner of this action and the amount due

including any accrued administrative charges. A copy of this letter will be sent to the Eligible Mortgagee, if possible. The fee for this initial collection letter is \$150 and will be applied to the Unit Owners balance.

5. All charges and expenses incurred for the collection of any delinquent account shall be the responsibility of the Unit Owner, including court costs, legal fees, late fees, interest, as well as the delinquent Association Fees. All related bank charges for returned checks will be assessed.

6. Fees are as follows and are subject to change without notice:
- A. \$300 Suit Fee - preparation and filing of suit in small claims court and all associated follow-up by HOA
 - B. District Court Filing and Service Fee (charged at current Court Rates)
 - C. \$375 Suit Fee - preparation and attendance at small claims court hearing
 - D. \$350 Task Fee - Request Order for Execution and associated follow-up Flat Fee
 - E. Misc administrative fees.

7. Should the account be brought current and a delinquent balance occurs again during the same fiscal year, the Board reserves the right to accelerate remaining installments without prior notice.

8. A delinquent Unit Owner (including family, friends, or tenants) shall not have any Association voting privileges, and may not run for or serve on the Board (or any of its committees) for as long as the delinquent account remains unpaid.

This Assessment Collection Procedures Resolution has been adopted by the unanimous written consent of the Executive Board of the Chatham Creek Community Association as of December 9 , 2016.

Brent W. Blakely
Board Member

N/A
Board Member

PRESIDENT CHATHAM CREEK HOA

12-9-16