

EASTON COMMONS HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION: DELINQUENT ASSESSMENT COLLECTION

WHEREAS the Declaration of Covenants, conditions and Restrictions sets forth the obligation of each Owner to pay assessments, the determination and payment of assessments, and the penalties and methods of collection; and

WHEREAS the same Declaration of covenants Conditions and Restrictions sets forth the Board of Directors' duty to collect assessments; and

WHEREAS the Board of Directors desires to clarify the procedures with respect to delinquent assessments;

NOW THEREFORE BE IT RESOLVED that the following procedure are hereby established:

1. All assessments are due and payable on or before the first day of January each year and are considered late after January 31 of each year.
2. Assessments received after January 31 shall accrue interest in the amount of 6% per annum from the date first due.
3. The Managing Agent shall notify Owners of failure to pay their assessment in writing on or about the fifteenth of February. The letter shall inform the Owner of the late fee.
4. If any assessments are past due in excess of sixty (60) days, the Managing Agent shall send a formal thirty (30)-day demand letter to the Owner. Such letter shall be sent certified mail, return receipt requested. The demand letter shall inform the Owner that their account will be turned over for to an attorney collection if not paid within thirty days OF MAILING and that the Owner shall be responsible for all attorneys' fees.
5. If thirty days AFTER MAILING, the account remains unpaid, the Managing Agent shall provide the Association's attorney with the information necessary to begin collection proceedings.
6. Once an Owner has been turned over for collection, the Owner shall deal directly with the Association's attorney. Once an Owner has been turned over to the attorney for collection, the Board shall not consider accepting payment plans from Owners. Owners unable to meet their assessment payment obligation should inform the Board immediately through its Managing Agent, prior to the Association turning the account over to an attorney for collection.

Payment plans will be considered only under extenuating circumstances and are at the sole discretion of the Board. Any payment plan accepted by the Association will include accrued late fees and may include fees necessary for the legal review of the payment plan.

8. Once an Owner has been turned over for collection, the Association's attorney is authorized to proceed with foreclosure proceeding in accordance with the Texas Property Code. Foreclosure proceedings will not be discontinued by the Association.

ATTEST:

Date

President