

**ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC.**

**POLICY TITLE: COLLECTION POLICY FOR DELINQUENT ACCOUNTS (Revision B)**

**BOARD POLICY NUMBER: 20-03-16**

**DATE OF POLICY: March 16, 2020**

**WHEREAS the Eldorado Community Improvement Association, Inc. Board is charged with the responsibility of collecting annual assessments and special assessments for common expenses for homeowners, and for collecting other established fees and charges pursuant to Article V, Section 8 of the Declaration; and,**

**WHEREAS from time to time homeowners become delinquent in their payments of these charges and fail to bring their accounts current; and,**

**WHEREAS the Board deems it to be in the best interest of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner and further believes, if necessary, it to be in the best interests of the Association to refer these accounts to an attorney for collection so as to minimize the Association's loss of assessment revenue; NOW, THEREFORE**

**BE IT RESOLVED that pursuant to Article V, Section 8 of the Declaration there is hereby levied against any account which is not paid in full within 30 days of the delinquency date interest charges which shall bear interest from the date of delinquency at the maximum legal rate of interest of 15% per year with the General Manager is directed to charge to and collect from any delinquent owner; and**

**BE IT FURTHER RESOLVED that the General Manager is directed to send on or about March 31 to any owner who is delinquent in the payment of annual or other charges a written notice (hereinafter referred to as the "First Notice"), of the late fee and request for immediate payment; and**

**BE IT FURTHER RESOLVED that the First Notice sent to the delinquent owner shall state that unless the owner disputes the validity of the debt, or any portion thereof, within 30 days after mailing of the notice, the debt will be assumed to be valid; and**

**BE IT FURTHER RESOLVED** that the Second Notice will be sent along with Notice of Claim of Lien on the delinquent property owner and shall state that any request for special consideration of hardship circumstances, including all reasons why the Board should consider the request, must be submitted to the Board in writing, together with a request for a hearing, or in the alternative, a request that the determination be made by the Board based on the written request, and if not so submitted, then such request shall have been deemed waived; and

**BE IT FURTHER RESOLVED** that at the determination of the Board and General Manager, if the delinquent account is not paid in full on or about July 1, a written notice (hereinafter referred to as the “Third Notice”) will be sent stating that the matter has been turned over to the Association’s attorney for action; and

**BE IT FURTHER RESOLVED** that the following policy shall apply to all delinquent accounts turned over to the Association’s attorney for collection.

**This policy revision was adopted by the Board on March 16, 2020 and shall be effective on April 1, 2020 and supersedes all earlier collection policies.**

DocuSigned by:

*Nancy Sulzberg*

**Nancy Sulzberg, PRESIDENT**

7/1/2020

**DATE**

DocuSigned by:

*Carol Sanguinetti*

**Carol Sanguinetti, SECRETARY**

7/1/2020

**DATE**