

**TIMBERHILL FOURTH ADDITION PHASE TWO AND THREE  
(COMMONLY CALLED 'UPLANDS') HOMEOWNER'S ASSOCIATION**

**Collection of Unpaid Charges Resolution**

Authority: ORS 94.630	Powers of the Association
ORS 94.640	Association board of directors...
CC&R Article VII	Enforcement
Bylaws Section 2.2	Authority
Bylaws Article X	Assessment Collection Costs; Suits and Actions

The Board of Directors adopts this resolution to implement procedures to collect assessments (all amounts validly assessed against members) and other accounts receivable due the Association.

Regular annual assessments for the period January 1 through December 31 are due and payable on March 1 of that year. Any amount not paid by March 31 is delinquent. Other charges may be approved by the Board when incurred by the Association, and become delinquent if not paid within 30 days.

Interest shall accrue at the rate of ten percent (10%) per annum (0.833% per month) from the date first due on all charges remaining unpaid after thirty (30) days.

In addition to interest charges described above, a late fee of \$25 per month shall be assessed on the first day of each month on all charges remaining unpaid after sixty (60) days from the date first due.

The following procedure shall be adopted for collection of accounts receivable:

1. A billing statement shall be sent at least thirty (30) days prior to the due date of each assessment or other charge imposed by the Board. A note shall be placed on the billing statement explaining the penalties for not paying the HOA dues on time.
2. If any amount remains unpaid after March 31st, the Board shall send a notice of delinquency to the member indicating the amount due, including interest assessed from the original due date, demanding immediate payment. All charges and future penalties (if charges are not paid immediately) shall be explained to the member. A member may request a hearing with the Board of Directors to dispute the circumstances, request mitigation of additional charges, or request extension of the payment period. The Board may approve an installment payment plan if it determines that such a plan is in the best interests of both the member and the Association.
3. If any amount remains unpaid after June 30th, the Board shall send a notice to the member indicating the amount due, including interest and late fees, and indicating that the account may be referred to a collections agency or attorney at the time of July 31<sup>st</sup>. The notice will inform the member that if the account remains unpaid, a lien will be filed against the property. The notice will also advise the member that all collection costs, including but not limited to preparing and sending any notices, attorney's fees, preparing and/or recording a lien, etc., will be assessed to the member and become part of the assessment owed. Any collection actions initiated on behalf of the Board will comply with the Federal Fair Debt Collection Practices Act, if applicable.
4. If any amount remains unpaid after one year, the Board may decide to file suit seeking a money judgment, a lien foreclosure, or both. The process will be initiated by the Board's attorney in compliance with then applicable law.

Adopted (date)

February 19, 2012

Corrected (date)

March 11, 2012

(List of Board members voting)

*Ray Tucker, President; Doug Wentworth, Treasurer; Betty Brase, Secretary; Luann Ermer, Director*

(List of Board members voting)

*Ray Tucker, President; Doug Wentworth, Treasurer; Betty Brase, Secretary, Aretha Hart and Arthur Hart, Directors*