

# BRIDLE SPRINGS HOMEOWNERS ASSOCIATION

## Collection of Unpaid Charges Resolution

**Updated July 7, 2022**

Authority: ORS 94.630

Powers of the Association

CC&R Articles 10.8, 11.3

Assessments and Enforcement

Bylaws Article 4.7, 6.1

Accessions, Records and Reports

CC&R Articles 4.23

Authority

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.

Assessments for any calendar quarter are due and payable on the first day of that quarter. Any amount not paid within 30 days of the first day of the quarter is delinquent.

Interest shall accrue at the rate of twelve percent (12%) per annum (1% 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 \$25.00 per month shall be assessed on the first day of each month on all charges remaining unpaid after thirty (30) days from the date first due.

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

1. A billing statement shall be sent prior to the due date of each assessment or other charge imposed by the Board.
2. If any amount remains unpaid after 30 days, 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. 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 the Association.
3. If any amount remains unpaid after 90 days, 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 collections. The notice will inform the member(s) that all charges incurred in collection, including but not limited to preparing and sending any notices, preparing and/or recording a lien, collection agency charges, etc., will be charged to the member's account and become part of the assessment amounts owed. This will include all charges incurred in collection by a collection agency if used, up to the amount of 40% of the balance owed. Any collection actions initiated on behalf of the Board will comply with the federal Fair Debt Collection Practices Act, if applicable.
4. Additionally, the Board may decide to file suit seeking a money judgment, a lien foreclosure or both. This collections resolution supersedes all other collections resolutions previously adopted.

Originally Adopted: December 15, 2011 --

B. Carruth, B. Vanderford, M. Watkins, E. Aguinaga

Modified and Adopted: June 7, 2022 --

J. Logan, M. Louk, K. Deyette, TJ Ferguson, B. Duran

Modified June \_\_\_\_\_ 2023