



## Collection Policy Resolution

Following discussion and input by the Owner Advisory Board Members, this Collection Policy Resolution was adopted, on the date set forth below, by the Board of Directors ("Board") for the Hill Farms Homeowner Association, Inc. ("Association"), a Utah non-profit corporation.

**WHEREAS**, Article X of the Hill Farms Declaration of Covenants, Conditions & Restrictions ("DCCR"), empowers the Board to charge and collect Assessments and charges for the Association.

**NOW, THEREFORE, BE IT RESOLVED** that the following shall be enacted to govern the collection of unpaid Assessments and charges.

1. Monthly assessments are due on the 1<sup>st</sup> day of each month and considered late if not received by close of business on the 15<sup>th</sup> day of each month. If the 15<sup>th</sup> day falls on a weekend or legal holiday, it shall be the next business day.
2. A late fee in the amount of \$20.00 per month will be charged to all Owners who have a past due balance of at least \$50.00 on the 16<sup>th</sup> day of each month. If the 16<sup>th</sup> day falls on a weekend or legal holiday, it shall be the next business day.
3. Interest at the rate of 18% may be charged on any past due balance.
4. Once an account is 15 days delinquent, a notice will be sent to the delinquent Owner via email, if on file with the Association, or via regular mail to the address of Owner's Dwelling if no email is on file with the Association.
5. Once an account is 30 days delinquent, a second notice will be sent to the delinquent Owner via email, if on file with the Association, or via regular mail to the address of Owner's Dwelling if no email is on file with the Association.
6. Once an account is 60 days delinquent, written notice will be sent to the Owner via a certified pay-or-lien letter and a \$100.00 charge will be assessed to the Owner.
7. When an account becomes 90 days delinquent and payment arrangements have not been accepted by the Association, the account will be forwarded to an attorney for collection. Once the account has been transferred to the attorney, all communications and payments must be made to the attorney's office until the balance is paid in full.
8. Legal proceedings may include, but are not limited to, the following:
  - a. A lien placed against the Owner's property;
  - b. A judicial or non-foreclosure, including any rights of deficiency;
  - c. A personal action filed against the Owner;
  - d. A combination of any of the above actions.

9. After a lien is filed, the Association shall seek to recover from the Owner all Assessments, attorney fees, collection costs, interest charges, late charges, and court costs.
10. Any payments received will be first applied to the oldest outstanding Assessments, late fees, interest, attorney fees, and other costs related to the collection of past due assessments prior to funds being applied to other items such as fines, special assessments and other charges from the Association.

**AND BE IT FURTHER RESOLVED,** a copy of this Collection Policy Resolution shall be sent to all Owners within 30 days from the date this Resolution was adopted and signed.

Adopted by the Board of Directors this 19 day of OCTOBER, 2016.

Approved by  (David Bailey, Board Member)