

TRAILS AT BRITTANY DUES COLLECTION PROCESS

The Board decided to create a Process for Dues Collection to guide and assist the Treasurer. The following process will be adhered to for payment of HOA Dues:

- Invoices for HOA membership Dues will be sent the First week of January by email and are **Due In Full upon receipt**. *Homeowners must inform the Board of an email address change.*
- Dues are deemed Late if not postmarked/transaction dated by 30 days past send date.
 - A Statement is sent by email to the Homeowner which includes the Invoice and a Late Fee of 5% (about the first week of February).
 - I.e., \$750 + \$37.50; \$500 + \$25; \$250 + \$12.50
 - If not received by 60 days late (the first week of March) an *additional* 5% late fee will be added. Therefore, a new invoice would reflect new charges: \$750 + \$75; \$500 + \$50; \$250 + \$25
- In addition, a **Notice of Intention to File a Lien** is sent via Registered Mail (middle weeks of March) which articulates the Legal Options the Board has for filing a Lien on the property. Fees for Lien filing are assessed to the Property Owner: Dues, Late Fees (5%/month), Filing Fees; Release Fees, Attorney Fees, Accountant Fee of \$100, plus registered mail charges. These charges can be in the hundreds of dollars. If payment is not received within 10 business days of the date of the Notice of Intention to File a Lien (about the middle of March) then,
- A **Lien is filed in the County Clerk Land Records Office**; also, Late Fees will continue to accrue until said bill, late fees, and Lien charges are paid in full.

SAMPLE scenario:

- About January 2, Invoices are sent which indicate that HOA Dues are **due in full upon receipt**.
- About February 2, Dues are LATE and a Statement including Invoice with Dues + 5% Late Fees is sent to homeowner by email. *A Reminder may be sent by Email mid-February*, however this is not a requirement and homeowners bear the responsibility to pay without needing reminders.
- About March 2, if Dues + late fees are not received, then an updated Statement including Invoice with Dues + Late fees for two months is sent to homeowner. This Statement will be sent by email and/or by USPS.
- About Mid-March, a letter will be sent by USPS Registered Mail, to any Homeowner who has not paid Dues + Late Fees as a **NOTICE OF INTENTION TO FILE A LIEN**. This notice will list all of the fees and charges to be assessed (including courthouse filing costs, registered mail costs, attorney fees, and accountant fees, etc. for about \$600 [this varies depending on the attorney's time]). The Homeowner then has 10 business days to pay.
- If Dues + Late Fees are not paid by the Date indicated in the Notice, a **Lien is Filed** and the Homeowner is notified of filing via Registered Mail (about the first week of April). This notice will also include an updated Statement with Invoice reflecting the Dues + late fees assessed (5% for every 30 days late) and a reminder that late fees will continue to accrue at 5% on the Dues every month thereafter until Dues + Late Fees and all Lien expenses are paid in full.

Trails at Brittany HOA Board Approved November 2022; revised March 2023.