

## HOA Collection Policy

In accordance with Lake Limerick Bylaws and WA State RCW's

1. Account invoices will be postmarked by the 10<sup>th</sup> of the billing month and due by the last day of the month. Property owners are responsible for ensuring payments are made.
2. An account is considered "past due" on the first day of the month following the month the invoice was due. (Example: HOA Dues and Water invoices are sent prior to October 10 for the month of October, due on October 31, and past due on November 1.)
3. Upon becoming 15 days past due, a courtesy phone call will be placed, and/or an email sent (if email address is available), and/or a letter sent to the address on file, on or about the 15<sup>th</sup> day of the month. This allows adequate time for checks mailed at the end of the month to be received and processed.
4. Upon becoming 30 days past due (60 days from the first invoice; using the October example above, the account would be 60 days past due on December 1) , the same procedure(s) will be followed as for the 15 days past due process. In addition, the communication will include a notification, that at 90 days past due, the owner will be automatically declared a member not in good standing.
5. Upon becoming 60 days past due (90 days from the first invoice; using the October example above, the account would be 90 days past due on January 1), a letter will be sent demanding the member either (1) make a payment-in-full within 15 business days, or (2) arrange a payment plan option as described below.\* The letter will also warn that at 90 days the owner will be automatically declared a member not in good standing (LLCC Bylaws Article II Membership Section C). Letter will warn that LLCC has the right to turnoff water service for not paying for water (LLCC Bylaws Article II Membership Section A). The letter will additionally warn that interest in the amount of 1% per month will begin to accrue on the past due balance showing on the member account, including compound interest every twelve months (LLCC Bylaws Article IX Assessments). A minimum fee of \$60 is charged for turning water off and a minimum fee of \$60 is charged to re-establish service.
6. At 90 days past due (120 days from the first invoice; using the October example, the account would be 120 days past due on February 1) , should the owner fail to take action by paying or failure to perform a payment plan as agreed, a letter as prescribed in RCW 64.38.100 will be sent to the owner with the requirement to bring the account current or make some other satisfactory arrangement.

Additionally, at 90 days past due the owner is declared a member not in good standing. Water service may be turned off for not paying water invoices. A lien may be filed and recorded on the property and by Board of Directors action the account will be turned over to an attorney to foreclose. The letter will state LLCC Bylaws Article IX which allows legal proceedings up to and

including foreclosure. All fees expended including attorney legal costs, court costs, and mailings in the pursuit of the collections shall be paid by the owner responsible (LLCC Bylaws Article IX).

\*Payment plan: A meeting with the member/owner will be scheduled. The payment plan will be agreed upon in a case-by-case basis. The payment plan must work for LLCC, as well as the member/owner. The member/owner will sign a copy of the plan and a Promissory Note for approval by the Community Association Manager. If the payment plan is complied with for 3 consecutive months, the owner is declared a member in good standing. If, at any time, the payment plan is not complied with as agreed, the payment plan is void, collection attempts will resume immediately, and if the account is still 90 days past due, the member will immediately be declared a member in not good standing with no further action by the board.

**Timeline:**

1-10 days

- monthly invoice Dues and Water payable by end of month

45 days

- courtesy phone call and/or email and/or letter mailed

60 days

- courtesy phone call and/or email and/or letter mailed
- require payment plan
- warning at 90 days be declared member not in good standing
- warning at 90 days charged 1% interest/month

90 days

- letter mailed including RCW 64.38.100
- member declared not in good standing
- lien may be filed and recorded
- By Board action sending account to an attorney to foreclose
- account charge 1% interest/month
- water service may be turned off