

# WALDEN LAKE COMMUNITY HOMEOWNERS ASSOCIATION, INC.

## COLLECTION POLICY

### BACKGROUND:

The Association's Board of Directors ("Board") is charged with levying and collecting assessments for common expenses from homeowners pursuant to the Governing Documents; and

From time-to-time, homeowners become delinquent in their payments of these Assessments and fail to respond to the demands from the Board to bring their accounts current; and

The Board deems it to be in the best interest of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner, and believes it to be in the best interest of the Association to refer these accounts promptly to an attorney for collection, through your managing agent, so as to minimize the Association's loss of assessment revenue; and

The Board has retained the Association's attorneys for their experience representing homeowner's associations in collection matters, and the Board has directed the Association's attorneys to represent the Association on the terms outlined in this Collection Policy. The Association's attorneys shall pursue all collection and other matters which the Board, acting through the managing agent, may from time to time refer and to provide advice and counsel which the Board may from time to time require.

### PROCEDURE STEPS:

Semi Annual assessments are due on or before **January 1<sup>st</sup> and July 1<sup>st</sup>**. Pursuant to Florida Statute and the Governing Documents, any owner account (past due assessments, legal violation enforcement fees, abatement costs and collection of fines) which is not paid in full by **February 1<sup>st</sup>** and August 1<sup>st</sup> shall be issued a 30-Day Notice of Late Assessment to the owner's property address and any mailing address. Delinquent accounts will bear interest at a rate of **ten percent (10%)**. **A late fee of \$25 will be incurred.**

If the account remains delinquent following the expiration of the 30 - Day Notice of Late Assessment, the managing agent is directed to have the Association's attorney take formal legal proceedings against the owner. The Association's attorney shall issue a Notice of Intent to Record a Claim of Lien, which shall include legal fees and additional collection costs. Properties not occupied by the owner shall receive a Demand for Rent in addition to the Notice of Intent to Record a Claim of Lien. If the owner fails to pay within the requisite amount of time, the attorney is authorized to record a Claim of Lien and issue a Notice of Intent to Foreclose.

At the expiration of the Notice of Intent to Foreclose, the Board shall execute an Authorization to Foreclose and the attorney shall proceed with a foreclosure lawsuit.

As required by law, any payment received and accepted less than the amount demanded shall first be applied first to any interest accrued then to any actual costs and reasonable attorney's

fees incurred in collection then to late fees incurred and then to delinquent Assessments.

**POLICIES:**

The following policies shall apply to all delinquent accounts turned over to the Association's attorney for collection:

1. Communication with a delinquent homeowner shall be handled exclusively through the Association's attorneys. Neither the managing agent nor member of the Board shall discuss the collection of the amount directly with a homeowner after it has been turned over to the Association's attorneys unless one of the Association's attorneys is present or has consented to the contact.
2. All sums collected on a delinquent account shall be remitted to the Association in care of the Association's attorneys until the account has been brought current, unless otherwise agreed to by counsel on behalf of the Board and management.
3. The Association's attorneys' fees and costs shall be assessed against each delinquent parcel and its owner when the account is turned over to the Association's attorneys for collection.
4. This policy shall be provided to the Association's attorney once approved by the Board.

IN WITNESS WHEREOF, the Board of Directors has approved the provisions hereof on **August 15th, 2022**, at a duly called meeting of the Board at which a quorum was present.

  
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President

  
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Vice President

  
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Secretary

  
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Treasurer