

# Chaplin Woods Homeowners Association Inc.

P.O. Box 63641, Washington D.C. 20029-3641 Email: board@chaplinwoods.org  
Tel: (202) 558-5284

## Chaplin Woods Homeowners Association Administrative Resolution # 2004-12-2

### Collection Policy

WHEREAS, Article III, Section 3 of the By-Laws of the Chaplin Woods Homeowners Association grants power to the Board of Directors to conduct Association business, and Article V, Section 1 of the By-Laws grants the authority to levy assessments against owners. And because the Association's economic well-being relies on the timely payment of assessments and other allowable charges. And because it is the Board's duty to use its best efforts to collect funds owed to the Association,

LET IT BE RESOLVED THAT these collection procedures shall be followed:

1. **AMOUNTS PAYABLE TO THE ASSOCIATION** include, but are not limited to, regular assessments, special assessments, rules enforcement fees, repairs to the common area that are an owner's responsibility, legal fees and other costs associated with collection of funds on behalf of the Association.
2. **PAYMENT SCHEDULE.** The regular assessment is payable in advance on the 1st of each month. Fees not received or postmarked by the 15th of the month will be considered past due.
3. **LATE FEES, NSF & INTEREST CHARGES.**
  - A late fee of \$15.00 shall be charged monthly on all delinquent balances.
  - A \$8.00 NSF (Non-Sufficient Funds) charge will apply to any returned check.
  - Any balance older than 30 days will incur an interest charge of 1% per month until paid.
4. **ORDER OF CREDITING PAYMENTS.** Payments received shall be first applied to assessments owed, then to late charges, interest, or collection expenses.
5. **PROCESS FOR DELINQUENCY NOTIFICATION.** For all balances exceeding \$85.00 that are thirty (30) past due, the following notification process applies:
  - FIRST NOTICE.** First Notice of Past Due Charges including detail of assessments, late fees, NSF charges, interest and other charges that apply will be sent by First Class Mail to an owner whose balance is thirty (30) days past due.
  - SECOND NOTICE.** Second Notice of Past Due Charges including detail of assessments, late fees, NSF charges, interest and other charges that apply will be sent by First Class Mail to an owner whose balance is sixty (60) days past due.
  - 10 DAY DEMAND.** 10 Day Demand for Payment including detail of assessments, late fees, NSF charges and interest charges that apply will be sent by First Class Mail to an owner whose balance is seventy five (75) days past due. This Notice will recite intent to turn the matter over to an attorney for collection enforcement if balance is not paid within

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10 days. Attorney actions include but not limited to filing a lien against the owner's property, a personal judgment against the owner and property foreclosure.

**6. LEGAL SERVICES.** If a delinquent account is referred to an attorney for collection, the owner shall be charged the Association's reasonable attorney fees and related costs.

**7. OTHER CHARGES.** The Association may charge the owner for:

- Fees incurred by HOA Board to collect funds payable to the Association,
- Owner bankruptcy,
- Foreclosure action or deed in lieu of foreclosure,
- Notification, filing and satisfying liens,
- Enforcement of the Association's Rules, Bylaws, Declaration or Policies,
- Costs of litigation, and/or legal representation
- Repairs to the Association's common areas that result from the acts of owners, their tenants or guests.

**8. DEBT COLLECTION OPTIONS.** In order to collect a debt owed to the homeowner association by a member, the following options may be invoked to satisfy that debt:

- Acceleration of payments after 7 months past due
- Garnishment of member's wages
- Seizing of member's personal property
- Suspension of amenity privileges (like garbage collection, etc.)
- Suspension of voting rights
- Suspension of homeowner association provided utilities
- Collection of rents being generated by member's homeowner association unit or home.
- Foreclosure of member's homeowner association unit or home.

Recorded in the Book of Minutes: 12/14/2004

Signed: \_\_\_\_\_, 12/14/2004

Paulette Andrews  
Secretary – Board of Directors

Signed: \_\_\_\_\_, 12/14/2004

Wilfred Welsh  
President - Board of Directors