



DUFFERIN PARK HOMEOWNERS ASSOCIATION

BE IT FURTHER RESOLVED that the Second Notice sent by the Manager to the delinquent owner shall also state that unless the owner disputes the validity of the debt, or any portion thereof, within **thirty (30)** days after receipt of the Second Notice, the debt will be assumed to be valid; and if the owner notifies the Manager in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the Manager will obtain verification of the debt and a copy of such verification will be mailed to the owner by the Manager; and

BE IT FURTHER RESOLVED that the membership rights of any owner whose account is **sixty (60)** days past due may be suspended at any time at the discretion of the Board during the period that any installment, charge or assessment remains unpaid, subject to the terms of the Governing Documents; and

BE IT FURTHER RESOLVED that the Manager may refer any account that remains delinquent for **thirty (30)** days after the Second Notice - ninety (90) days total from original assessment date, to the Association's attorneys for collection; and

BE IT FURTHER RESOLVED that, pursuant to Article XI of By-laws, any homeowner who is turned over to the Association's attorneys for collection will be liable for payment of any collection expenses incurred by the Association (including but not limited to all charges imposed by the Association's attorneys and/or management company to cover fees and costs charged to the Association for collection); and

BE IT FURTHER RESOLVED that the Manager is directed to consult with the Association's attorneys and turn over for collection immediately any account where the owner files or is the subject of a petition for relief in bankruptcy or a lender has commenced any action for foreclosure of its lien against the unit; and

BE IT FURTHER RESOLVED that the Association attorney is directed to send to any homeowner who is more than **ninety (90)** days delinquent in the payment of Assessments and whose account has been referred to the attorney, a written notice (hereinafter referred to as the "Notice of Demand"), that if the account is not paid in full within **thirty (30)** days of receipt of the Notice of Demand, the Board may commence legal actions as detailed below; and

BE IT FURTHER RESOLVED that the following policies shall apply to all delinquent accounts turned over to the Association's attorneys for collection:

1. The Association's attorneys' minimum legal fee shall be assessed against each delinquent unit and its owner (including repeat offenders) when the account is turned over to the Association's attorneys for collection. That amount shall be credited against the fees and costs actually incurred in the collection of the homeowner's account. All legal fees and costs incurred in the collection of a delinquent account shall be assessed against the delinquent unit and owner and shall be collectable as an Assessment as provided in the Governing Documents.
2. Where at the expiration of the 30 day period specified in the Final Notice, an account remains delinquent and without a payment plan embodied in a signed Stipulation for Judgment or other written agreement between the Association and the homeowner, or in the event of a default under the terms of either agreement, the Association's attorneys and/or Manager are authorized to take such further action as they, in consultation with the Board president, believe to be in the best interest of the Association, including but not limited to:
  - a. Filing suit against the delinquent homeowner for money due pursuant to the Declaration of Covenants in a court of appropriate jurisdiction;



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- b. Instituting a judicial action for foreclosure of the Association's lien, pursuant to Article VII of the By-Laws; or
  - c. Filing a proof of claim in bankruptcy;
- and

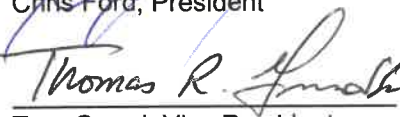
BE IT FURTHER RESOLVED that the Manager, acting on behalf of the Association, shall pay the Association's attorneys their usual and customary charges for time incurred in connection with their representation of the Association, together with all costs incurred by the firm, including but not limited to fees and charges for filing, service of process, messenger service, photocopies, postage, long distance calls, investigator's services, credit reports, and title reports, promptly upon receipt of the monthly invoice; and

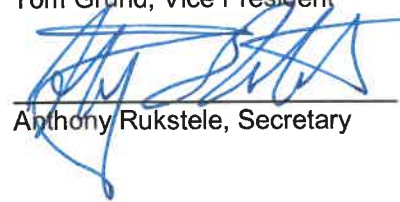
BE IT FURTHER RESOLVED that the Manager, acting on behalf of the Association, shall provide notice to all members of the Association of the foregoing policies and procedures by mailing a copy of these resolutions to such members at the address last shown in the records of the Association; and

BE IT FURTHER RESOLVED that the foregoing policies and procedures shall go into effect with regard to all outstanding balances and Assessments levied on or after July 1, 2017.

IN WITNESS WHEREOF, the following Directors of this corporation have hereunto subscribed their names.

  
\_\_\_\_\_, July 20/2017  
Chris Ford, President

  
\_\_\_\_\_, 7/20/17  
Tom Grund, Vice President

  
\_\_\_\_\_, 7-20-17  
Anthony Rukstele, Secretary