

La Colina Homeowners Association

16625 S Desert Foothills Pkwy
Phoenix, AZ 85048
(480) 759-4945 / FAX (480) 759-8683
Email: LaColina@WeAreVision.com

RESOLVED, that the following **ASSESSMENT COLLECTION POLICY** shall be adopted effective immediately:

LATE FEE: A late fee of \$25.00 will be charged to any account that shows an assessment not paid within **fifteen (15)** days of the due date.

Assessment Collection Schedule:

1. Written late notice is sent to the property owner(s) on or after the **45th** day of the first unpaid assessment informing them that the account is delinquent and that a late fee has been applied. All letter fees are the responsibility of the property owner(s).
2. Written collection and intent to lien letter sent to the property owner(s) on or after the **105th** day of the first unpaid assessment informing them that the account is delinquent, that a late fee was applied and the account may be referred to the Association's collection agent for further action which may include a notice of lien being recorded against the property. All letter fees are the responsibility of the property owner(s).
3. Any account with an unpaid balance of assessments and other charges at least **135 days** past-due may be transferred to the Association's collection agent for commencement of collections and a notice of lien may be recorded. All fees and costs incurred are the responsibility of the property owner(s). At any time during this process the homeowner may request to enter into a payment plan for all outstanding assessments and fees. The Association may not release its lien until such time as all assessments, late fees, related collection costs and legal fees have been paid in full.
4. Any account with a balance of assessments and other charges at least **195 days** past-due may be referred for a small claims suit or to the Association's attorney for further collection activity including, but not limited to, civil suit and/or foreclosure. All collection costs, legal fees, court costs, and any other charges incurred by the Association are the responsibility of the property owner(s).

Foreclosure Collection Procedure:

- At the discretion of the Board of Directors, any account with a balance owed after foreclosure by a first mortgage holder may be referred to an outside collection agency, to small claims court or to the Association's attorney to obtain a personal judgment against the owner(s) of the lot whose responsibility it was to bring the account current at the time of foreclosure.

Payment Application and Waiver Requests:

Unless otherwise directed by the property owner or in accordance with a written stipulated agreement and/or judgment, payments will be applied to an account as follows (pursuant to Arizona Revised Statutes):

1. Past due assessments
2. Late Charges
3. Collection Fees (Demand Letter/Lien/Collection Agency/Skip Trace/Court Fees)
4. Legal Fees/Costs
5. Monetary Penalties/Certified Mail Fees

Any payment returned due to insufficient funds, stop payment, closed account, etc. will result in a service fee based on the current rate charged by the Association's bank at the time the payment is returned.

The Board of Directors will not consider any waiver requests for late charges, collection costs, legal fees/costs or monetary penalties/certified mail fees incurred on an account while any assessment on that account remains unpaid. Furthermore, the Board of Directors may decide not to consider a waiver request for the above noted items on an account where the assessment was not paid through no fault of the Association or its agent.

Payment plans will be accepted under the following conditions:

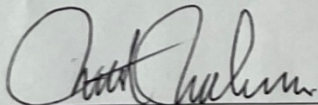
Payments made without benefit of a properly executed payment plan will not be construed as a payment plan and collection activity may be initiated in accordance with the Assessment Collection Policy.

Late fees as provided in the Assessment Collection Policy will not be charged during the term of the payment plan if payments are received in accordance with the plan.

A minimum payment plan equal to one-sixth of the account balance upon entering the plan will be accepted on a monthly basis. All other payment plans are subject to approval by the Board of Directors.

A lien may be filed and legal collection proceedings may be implemented upon default of a payment plan with no further notice to the property owner.

IN WITNESS WHEREOF, the undersigned have executed this consent as of 12/5/ 2021.



For the Board of Directors
La Colina Homeowners' Association

ROBERT ROLIARDI
LA COLINA HOA
BOARD PRESIDENT

**ACTION BY UNANIMOUS WRITTEN CONSENT
OF THE BOARD OF DIRECTORS OF
LA COLINA HOMEOWNERS' ASSOCIATION**

IN LIEU OF SPECIAL MEETING

The undersigned, constituting the entire Board of Directors of La Colina Homeowners' Association, an Arizona nonprofit corporation (the "Association"), without the formality of convening a meeting and acting pursuant to Title 10, Arizona Revised Statutes, do hereby consent to and adopt the following resolution. It is the undersigned's intent that this consent be executed in lieu of a special meeting of the Board of Directors, which consent shall be filed by the Secretary of the corporation with the minutes of the meetings of the Board of Directors.

WHEREAS the Association does not currently have an Assessment Collection Policy in place with its current management agent, Vision Community Management (Vision), and is currently in the process of billing its owners the annual assessment which is due on January 1, 2022. Furthermore, it would be useful to have such a policy in place with Vision prior to the past due date of the 2022 annual assessment, which occurs before the next regularly scheduled Board meeting of the Association.

RESOLVED THAT the Board of Directors of the Association adopts the attached Assessment Collection Policy.

This document may be executed in counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

Dated this Third day of December, 2021,

DIRECTORS:

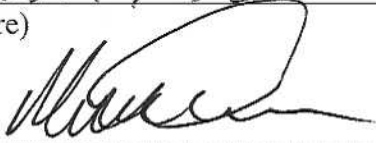


(Signature)



(Signature)


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(Signature)

Filed with the undersigned on _____

Secretary