



### Acceptance of Collection Process and Authorization for Representation

The Board of Directors for Creekwood Ranch Homeowners Association hereby affirms that at a duly called board meeting of the Association the attached collection process and fee schedule was adopted and approved through a majority vote of its directors.

This authorization includes, but is not limited to: contacting delinquent owners to request payment of delinquent assessments and related charges; the preparation, signing and recording of liens against individual or joint lots within the community for delinquent assessments and related charges; the preparation, signing, and filing of small claims actions against owners in justice court for delinquent assessments and other charges; representing the Association at any court hearing that arises from a small claims action filed in the name of the Association; any other related or ancillary activities so directed by the board as its duly authorized agent.

This authorization shall remain in effect concurrently with the valid management/agency contract between the Association and Vision Community Management and shall specifically authorize Mark Schmit, Kim Smith, Darin Fisher, and Cory Christians to perform these functions in accordance with A.R.S. §22-512.

Richard Secney  
Board member

President  
Title

6/28/19  
Date

Jan Kue  
Witness/Vision Management Representative



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## **Collection Process & Fee Schedule-2019**

### **TIMING AND ACTION**

		<b><u>FEE</u></b>
<b><u>15 DAYS</u></b>	- Initial Late Letter (sent by accounting)	\$3.00
<b><u>45 DAYS</u></b>	- Lien Demand Letter (sent by accounting)	\$65.00
<b><u>60 DAYS</u></b>	- Account is referred to collection department (sent by accounting)	No Charge

### **Collections- "Tier 1"**

#### **60-75 DAYS Collection Setup (1)/ Asset Analysis (2) \$75.00 (1)/ \$90.00 (2)**

This process includes account review to verify amounts owed, current mailing address and contact information, screening for bankruptcy and trustee sale, and entry of account information into a secure database. A phone call is made and e-mail sent to attempt immediate resolution of the account (1). If account is not paid in full or payment arrangements made after contact with owner an asset analysis will be completed which includes a review of the owner(s) credit report to determine the viability of collecting from them (2).

### **Collections- "Tier 2"**

#### **60-120 DAYS Lien Notice (1)/ Pre-Litigation Letter (2) \$110.00 (includes lien release-add \$40.00 after July 1, 2019) (1)/ \$45.00 (2), \$5.00/monthly monitoring fee (3)**

A notice of lien is recorded if the asset analysis reveals sufficient equity in the property to cover the debt owed (1). A final demand letter is sent to the owner (\*) with a copy of the lien and ledger via first class and certified mail informing them that if they fail to respond legal action may be taken against them (2). There is a \$5.00 monthly monitoring fee charged for all active accounts (3).

### **Collections- "Tier 3"**

#### **120-180 DAYS Small Claims Suit Filed for Judgment \$250.00 + filing fee (1) + process server / \$100.00 (2)/ \$125.00 (3), OR Stipulated Agreement (\*\*) OR Small Claims Hearing (\*\*)**

A small claims suit is prepared, filed, and sent out for personal service to the homeowner(s) (1). An App for Default (2) and Request for Judgment (3) will be filed to obtain default judgment or a stipulated agreement (\*\*) will be prepared and signed by the homeowner(s) for voluntary entry of judgment with a payment plan. Court appearance may be necessary if the owner files an answer with the court disputing any part of the complaint (\*\*).

#### **120+ DAYS Account forwarded to attorney \$30.00**

This MAY occur if the owner is represented by counsel and/or requests that the case be transferred to the civil division OR if the balance exceeds the small claims limit of \$3,500.00.

### **Collections- "Tier 4"**

#### **200+ DAYS Certify Judgment and Record \$175.00 (includes filing & recording fees)**

Upon receipt of a signed judgment we will obtain a certified copy and record it with the appropriate county so that it becomes a lien against any property held by the owner within Arizona.

#### **200+ DAYS Earnings/Non-Earnings Garnishment \$150.00 (1)/\$100.00 (2) + filing fee + process server + bank fees**

If employment and/or banking information is verified we will prepare and file earnings (1) and/or non-earnings (2) garnishments.

#### **200+ DAYS Judgment Debtor Exam \$100.00 + filing fee + process server + hearing attendance**

If no employment or banking information is located we will prepare and file a petition with the court to conduct a debtor's exam (\*\*).

### **OTHER ACTIONS THAT MAY OCCUR:**

1. Administrative fee for monthly updates on active accounts	\$5.00 per month (not charged in addition to payment plan fee)
2. Asset Analysis/Work Number Search (if not proceeding with Tiers 1 or 4)	\$90.00 (for a six-month period)
3. Lien Release (Vision Recorded Prior to 2017/Non-Vision recorded)	\$25.00/\$45.00 (includes recording fee-add \$20.00 after July 1, 2019)
4. (*) Additional demand letters (pre or post-judgment via first class only)	\$30.00/each
5. (**) Preparation, filing and monitoring of stipulated agreement	\$90.00 + \$5.00/monthly monitoring
6. (***) Court hearing participation (pre and post judgment)	\$100.00
7. Renewal of Judgment (Justice Court)	\$100.00
8. Prepare, file and record satisfaction of Judgment	\$45.00 (Justice Court)/\$100.00 (Superior Court-add \$20.00 each after July 1, 2019)
9. Prepare and submit claim to trustee for excess proceeds	\$45.00

### **BANKRUPTCY- CHAPTER 7/13/Trustee Sale**

1. Document BK notice/split account/monitor Chapter 7	\$10.00
2. File Proof of Claim-Chapter 7/13	\$90.00
3. Forward to Attorney (if claim is disallowed)	\$50.00
4. Monitor Chapter 13 to completion	\$90.00 per year to conclusion (3-5 years)
5. Document and Monitor Notice of Trustee Sale	\$90.00 (Includes Referral to Attorney for Excess Proceeds or referral to Thunderbird Collections)

- All fees added to homeowner's delinquency balance when charged to the association
- Timing is approximate and will vary depending on association late dates, workload, court and individual response times
- Pricing is subject to change after 30 day written notification to the association (typically occurs as a result of legislative/court fee updates)