

# ANNUAL ASSESSMENT AND COLLECTION

## POLICY RESOLUTION NO. 2

This policy resolution supersedes "ANNUAL ASSESSMENT AND COLLECTION PROCEDURES," which took effect January 1, 1996, and "ANNUAL ASSESSMENT AND COLLECTION POLICY RESOLUTION NO. 2, which took effect on January 1, 1998. This revision takes effect on SEPTEMBER 10, 2008

### **1. Introduction**

This document collects in one place information about matters relating to annual assessment establishment and collection policy. It defines the requirements upon the Board of Directors as well as upon members of the Cabell's Mill Community Association.

Some of the procedures and responsibilities stated here are defined in the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions, and the Bylaws of Cabell's Mill Community Association, to which the reader is referred. To keep this policy brief, no further reference to these documents is made here.

The actions specified for the Board or the Treasurer may be carried out through the agency of any management company with which the Association has a contractual relationship, but are the responsibility of the Board or Treasurer to cause to occur.

### **2. Assessment Determination.**

The Board has the authority to increase the maximum assessment by as much as 10% each year. Any larger increase requires a vote of the general membership in accord with the documents cited above. The Board shall establish the annual assessment for any year at its November meeting of the preceding year.

### **3. Assessment Announcement**

Initial assessment announcements for a given year shall be sent by first class USPS mail to all members no later than December 1 of the preceding year. The announcements shall state and explain the basis for the amount due.

### **4. Assessment Due Date and Penalties**

Assessments for a given year are due on January 1 of that year. Payments of assessments are credited as of the day they are postmarked (if mailed) or physically presented to the treasurer of the association or the association's management company. Any payments credited after January 31 are delinquent.

Members who are delinquent shall be assessed a one time charge (late fee) of 10% of the amount due on January 1 of the year. At the end of the year, any unpaid amount (assessment, and late fee) shall be carried forward to the next year and added to the next year's assessment, unless a lien has been filed claiming those arrears, as defined below.

This policy authorizes the Treasurer, under unusual circumstances, to forgive the late fee, or to delay filing of a lien. It is the responsibility of the affected member to identify such circumstances to the Treasurer. (Normally, members are responsible, in the event of failure to receive a bill, for obtaining assessment information from the Treasurer.)

## **5. Crediting of Payments**

As mentioned above, payments shall be credited and any penalties calculated based on the date received/postmarked. Payments shall be credited first to any legal fees, second to any late fee, and finally to the assessment. Any payments in excess of the amount due shall be credited to the next year's assessment, but shall not earn interest.

## **6. Partial Payments**

If a received payment includes at least 75% of the amount due, the remaining amount due shall be carried forward to the next year. Any further action in the current year shall be at the discretion of the Board.

## **7. Late Payment Collection**

The Treasurer of the association shall mail no later than February 15 of the assessment year, a reminder of assessments due, to all members who were delinquent as of February 1.

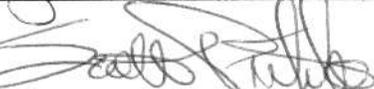
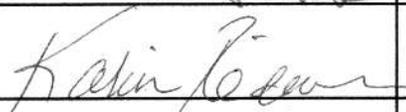
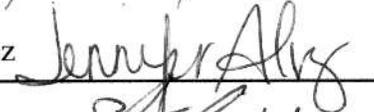
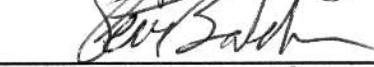
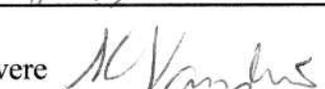
The Treasurer, no later than June 15 of the assessment year, shall issue, by certified mail, to all members still delinquent as of June 1, a letter stating the approximate costs and other consequences the member may sustain should the Board be forced to initiate legal action. The cost of postage for this notification shall be added to the amount due.

The Treasurer, no later than July 15 of the assessment year, shall request the Association's legal counsel to initiate appropriate legally enforceable action to collect assessments from all members still delinquent as of July 1. (See paragraph 4 for exceptions.)

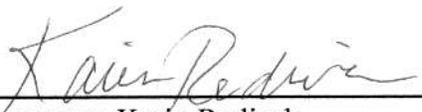
CABELL'S MILL COMMUNITY ASSOCIATION  
RESOLUTION ACTION RECORD

Resolution type:	Policy	No.	2
Pertaining to:	Annual Assessment Collection		
Duly adopted at a meeting of the Board of Directors			
Date:	9-10-08		

Motion by: Scott TRIBBIE      Seconded by: BILL SCHOONOVER

VOTE:	YES	NO	ABSTAIN	ABSENT
Director: Joel David 	✓			
Director: Scott Tribbie 	✓			
Director: Karin Redisch 	✓			
Director: Jennifer Alvarez 	✓			
Director: Steve Baldwin 	✓			
Director: Kerry McGinn 	✓			
Director: Bill Schoonover 	✓			
Director: Stephen Vandivere 	✓			
Director: (vacant)				

ATTEST:

	9/10/08
Secretary: Karin Redisch	Date