

The Forest at Colorado Crossing Home Owners Association HOA Dues & Fines Collection Policy

Effective August 1, 2010

The “HOA Dues & Fines Collection Policy” will be a supplement to the Bylaws and followed to collect delinquent HOA Dues and Fines

The Association through its Board, Managing Agent, or legal counsel will pursue the collection of delinquent HOA accounts and fines from an Owner. Should the recovery of delinquent accounts require legal proceedings, those proceedings will be conducted under the direction of the Board in accordance with the provisions of this “HOA Dues and Fines Collection Policy.”

At each step of the collection process, the Board will be advised of the known facts and circumstances concerning the delinquent account by management, Officers or legal counsel in order to ensure that the appropriate collection efforts are being made.

The Deed Restrictions state (**Line Item 18**) that each Owner agrees to pay **HOA Dues annually....** Unpaid Dues, interest, late charges, attorney fees, court costs and other costs associated with the collection of delinquent accounts, according to this amendment to the Bylaws, become (1) a lien against the Lot of the delinquent Owner until the balance is paid in full; (2) is the personal obligation of the Owner; and (3) remains a lien against the Lot even if the ownership is transferred.

The due date for Dues is determined by the Board. Balances are due the end of the annual billing month, namely January 31.

If payment is not received within thirty (30), sixty (60), ninety (90), or one-hundred and twenty (120) days after the due date, the account is deemed delinquent and a “Late Notice” will be sent to the Owner and a late fee will be assessed as follows:

- If payment is not received within 30 days of the due date, a \$25.00 late fee is applied
- If payment is not received within 60 days of the due date, a \$50.00 late fee is applied
- If payment is not received within 90 days of the due date, a \$100.00 late fee is applied
- If payment is not received within 120 days of the due date, a \$200.00 late fee is applied and a lien is filed against the property

If payment is still not received within 15 days of the lien being filed, a court action demand letter will be sent. Any fees incurred by HOA will be charged to the owner’s account.

The Association may recover the following costs incurred during the collection of any delinquent accounts, and will be collected in the same manner as Dues.

- Any handling charges, collection costs, administrative fees, postage, attorney fee or other expenses incurred by the Association in connection with the collection of any account.
- Any check tendered for payment of Dues/Fines by an Owner or on behalf of an Owner that is returned by the bank for any reason will result in the addition of a returned check fee of twenty-five (\$25.00)
- Any late fees and/or interest accrued from the due date

All monies received to be applied to Owner’s account will be applied in the following order:

- First, to the unpaid Dues / Fines
- Next, to the late fees, collection costs and attorney’s fees incurred by or on behalf of the Association
- Last, to interest accrued

All collection correspondence will be directed to the person who is the Owner, and will be sent to the most recent address of

the Owner according to the Association records. It is the responsibility of the Owner to update the Association in regards to address changes, ownership changes, or changes in other contact information. Any correspondence directed to the Owner will be considered valid, until written notification of changes regarding contact information has been received by the Association.

If the interest of an Owner is being handled by a representative of the Owner, or if an Owner has notified the Association that his/her interest is being handled by a representative, any correspondence from the Association will be considered valid for all purposes if directed to the representative.

If payment is not received within thirty (30), sixty (60), ninety (90), or one-hundred and twenty (120) days after the due date, the account is deemed delinquent and a late fee will be assessed as stated above and a "Late Notice" will be sent to the Owner. All fees associated with this notice will be charged to the Owner's account.

If payment is not received within one-hundred and twenty (120) days after the due date, the Association will send a "Demand Lien Letter" to the Owner requesting immediate payment of all outstanding amounts within fifteen (15) days from the date of the letter. The "Demand Lien Letter" will be sent via regular first class mail and certified mail-return receipt. All fees associated with this letter will be charged to the Owner's account.

If an Owner fails to pay the entire outstanding account balance stated in the "Demand Lien Letter" by the date specified, the Board will record a "Notice and Claim of Lien" with the Bastrop County Clerk's Office. If applicable and approved by the Board, the unpaid indebtedness for the entire year shall be accelerated, and will comprise the amount of Dues secured by the lien. All fees associated with the "Notice and Claim of Lien" will be charged to the Owner's account.

In the event the collection letters as set forth above do not result in payment by the Owner, the Board action with input and recommendation from management and legal counsel, will evaluate what course of legal action appears in the best interest of the Association for the recovery of unpaid Dues or Fines.

If an Owner requests verification of the indebtedness in writing, the Association, its management or legal counsel, whichever is applicable, will supply verification within fifteen (15) days from date of receipt of request.

Schedule of Fines:

Violation of the CC&Rs will be corrected and resolved by the Home Owners Association at the expense of the Home Owner. Fines to enforce these Restrictions may be in value from \$25.00 and not to exceed \$200.00 for each violation. Warnings will be issued prior to enforcement. A maximum of \$500.00 may be assessed in one calendar year. Definition for the below fines may be viewed in the Declaration of Covenants, Conditions and Restrictions for home sites in the Forest at Colorado Crossing filed with Bastrop County (V1423-P188-P192).

Landscape Maintenance Violation: \$25.00 per week

Parking Violation: \$25.00 per week

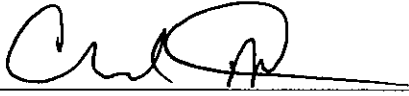
Architectural (ARC) Violation:

An ACC Application must be submitted and approved before any architectural improvements can be made. If the application is not submitted and approved prior to commencement of the work, fines can be imposed from the day work began, after the appropriate notice and hearing. \$25.00 - \$100 per week

Other CCR Violations assessed by committee


This "HOA Dues and Fines Collection Policy" replaces and supersedes all prior resolutions with respect to collection of HOA Dues and Fines and is effective upon adoption, to remain in force until revoked, modified or amended.


This is to certify that the foregoing policy was adopted by the Board of Directors of The Forest at Colorado Crossing Homeowner's Association to be effective June 1, 2010.

President:  Date: 6/7/2010

Vice-President:  Date: 6/16/2010

Director:  Date: 6/7/10

Director:  Date: 6/7/2010

Director:  Date: 6/7/2010