

OWNERS ASSOCIATION OF BRADFORD PARK, INC  
RESOLUTION  
COLLECTION POLICY FOR DELINQUENT ACCOUNTS

IN ACCORDANCE with Article VII, Section 2(c)(3) and Article XI of the By Laws of the Owners Association of Bradford Park, Inc. “the By Laws”; and

WHEREAS, the Board of Directors of the Owners Association of Bradford Park, Inc, hereinafter “The Board”, in accordance with Article VII, Section 2(c)(1) of the By Laws sets the annual assessments for the Association;

The Board hereby institutes and implements the following collection policy superseding all previous collection policies and procedures. The Board further directs all agents, partners and property managers to defer to and abide by this collection policy.

The Board establishes the Association’s fiscal year, January 1 to December 31, as the Regular assessment period and further establishes that this collection policy shall be in full force and effect from January 1, 2022 onward.

- 1) Regular yearly Assessments.
  - (i) Yearly assessment payments are due on January 1<sup>st</sup> the first day of the year.
  - (ii) Assessment dues are considered to be delinquent after 30 days.
- 2) Obligation to Pay Assessments. As stated in Article 18, Paragraph 3 of the Declaration of Protective Covenants of the Owners Association of Bradford Park, Inc “the Declarative”, each yearly assessment or charge is an obligation of the Homeowner for the care and maintenance of the common areas and obligations of the Association. Non-payment of the yearly assessment charge by any owner of any lot is subject to an interest charge of 10% per annum per Article 18, Paragraph 3 of the Declarative. Additionally, further collection and legal fees, liens and foreclosure and the costs associated are authorized by Article XI of the By Laws. Non-payment of assessments and interest may result in reasonable collection fees, interest and a lien being placed upon the delinquent property.
- 3) Notice of Assessments. The Association will notify the members by December of the year before an increase in the yearly assessment or any special assessments. Dues will be considered late either 30 days after the 1<sup>st</sup> day of the year or 30 days after notice of an increase in assessments whichever is later. Notice will be posted on the Association website and sent by first-class mail to addresses of record and email addresses on the membership register regarding any assessment increase or special assessment and the date of notice. It is the responsibility of each owner to advise the Association of any mailing address or email changes. The Board of Directors may elect from time to time to provide additional time to pay dues or provide relief during hardship but this does not relieve the Homeowners of the obligation to pay subsequent yearly assessments.
- 4) Designation of Agent. The Board of Directors may designate an agent or agents to collect assessment payments and administer this Collection Policy. Such designated agent may be an officer of the Association or Property Manager. Any agent authorized to collect assessments or administer this a collection policy for the Association is hereby directed to follow this Policy.

5) Standard Delinquency Collection Policy

February 1st interest begins at 10% per annum which will accrue monthly until the delinquency is paid in full. Costs associated are billed to the homeowner's account.

- i. 2/1 First Quarter reminder letter Feb 1 (\$2 reminder letter)
- ii. 4/1 Second Quarter reminder letter April 1 (\$2 reminder letter)
- iii. 7/1 Third Quarter reminder letter July 1 (\$2 reminder letter)
- iv. 10/1 Fourth Quarter reminder letter October 1 (\$2 reminder letter)
- v. 1/1 Next Yearly assessment added to delinquent balance
- vi. 1 Year Second Month 2/1. February 1. Notice of Intent to file Lien (\$150)
- vii. 1 Year Fourth Month 4/1. April 1. **Title Search & Lien filed** (\$250)

◆ **Once the Lien has been filed.** The homeowner will receive a reminder notice by mail twice a year to advise the homeowner of their Lien delinquency and to request payment. See below Exhibit A

- 1) **1/1 Jan 1st** Reminder notice 1 (no more than \$5)
- 2) **7/1 July 1st** Reminder notice 2 (no more than \$5)

- 6) Removal of Lien. Once a homeowner pays in full, the costs associated with the removal of any lien filed shall be billed to the homeowner account who is responsible for the costs unless otherwise directed by the Board. Should the homeowner not pay the cost of lien removal immediately, it will be added to their next annual assessment notice.
- 7) Delinquent Payments. A homeowner may request a payment plan at any time by written request. Should a homeowner default on a payment plan, collection activities will resume accordingly. Owners will be given the opportunity to make payments directly to the Association unless otherwise directed. Payments, request for payment plans, written correspondence including responses and changes to mailing address should be sent to the Association at the address recorded on the Bradford Park Home Owners Association website and included in yearly assessment correspondence.
- 8) Collections and Legal Action. Any legal or collections effort not listed in this Collection Policy requires a majority vote of the Board of Directors at a duly held Board meeting in Executive Session.
- 9) Void Provisions. If any provision of this Policy is determined to be null and void, all other provisions of the Policy shall remain in full force and effect.

This resolution of the Board of Directors has been duly adopted at the \_\_\_\_\_, 20\_\_  
Board of Directors meeting. By: \_\_\_\_\_

Exhibit A

Example of Estimated Collection Policy costs:

|                   |   |  |
|-------------------|---|--|
| January 1, 2022   | 2022 dues are due.  | Cost: \$170  |
| February 1, 2022  | A reminder notice and interest are charged to the homeowner's account | Cost: \$2 + \$1.42 = \$3.42<br>Total indebtedness: \$173.42. |
| March 1, 2022     | Interest is charged to homeowner's account                            | Cost: \$1.41<br>Total indebtedness: \$174.83                 |
| April 1, 2022     | A reminder notice and interest charged to the account                 | Cost \$2 + 1.42<br>Total indebtedness: \$178.25              |
| May 1, 2022       | Interest is charged to homeowner's account                            | Cost: \$1.41<br>Total indebtedness: \$179.66                 |
| June 1, 2022      | Interest is charged to homeowner's account                            | Cost: \$1.42<br>Total indebtedness: \$181.08                 |
| July 1, 2022      | A reminder notice and interest charged to the account                 | Cost: \$2 + \$1.41.<br>Total indebtedness: \$184.49          |
| August 1, 2022    | Interest is charged to homeowner's account                            | Cost: \$1.42<br>Total indebtedness: \$185.91                 |
| September 1, 2022 | Interest is charged to homeowner's account                            | Cost: \$1.41<br>Total indebtedness: \$187.32                 |
| October 1, 2022   | A reminder notice and interest charged to the account                 | Cost: \$2 + \$1.41.<br>Total indebtedness: \$190.73          |
| November 1, 2022  | Interest is charged to homeowner's account                            | Cost: \$1.41<br>Total indebtedness: \$192.14                 |
| December 1, 2022  | Interest is charged to homeowner's account                            | Cost: \$1.41<br>Total indebtedness: \$193.55                 |
| January 1, 2023   | 2023 dues are due   | Cost: \$170.00<br>Total indebtedness: \$363.55               |
| February 1, 2023  | Notice of intent to file a lien and Interest is charged               | Cost: \$150.00 + \$2.83.<br>Total Indebtedness: \$516.38     |
| March 1, 2023     | Interest is charged to homeowner's account                            | Cost: \$2.83<br>Total indebtedness: \$519.21                 |
| April 1, 2023     | Lien filing and interest is charged to homeowner's account            | Cost: \$250 + 2.83.<br>Total indebtedness: \$772.04          |

Once a lien is filed on a delinquent homeowners property, interest will accrue monthly on Assessment Dues only (per Texas State law) and reminder notices/status letters sent twice per year, once on January 1 and July 1 of each year which are charged to the homeowner's account. Should the homeowner pay their bill in full, related cost to remove a lien will be added to the account. Should the homeowner not pay the cost to remove the lien, then the cost will be added to their next annual assessments and noted on their assessment notice.