

A RESOLUTION OF THE BOARD OF DIRECTORS OF TENNESSEE STONEHENGE, INC.

APPROVING A POLICY ON DUES' DELINQUENCY FEES

Recommended Action: Adopt a resolution approving a policy for the application and administration of fees on homeowners' accounts for delinquent dues' payments.

WHEREAS, the Covenants, Conditions, and Restrictions (CCRs) of Tennessee Stonehenge, Inc., in Article V; Assessments; Sections 1. - 10. , vests in the Board of Directors of the Association the responsibility for the collection and administration of assessments (commonly referred to as "dues"), both annual and special, and,

WHEREAS, the CCRs, in Article V; Section 9 (a) & (b) address the remedies of the Association in cases of non-payment of homeowners' dues, and,

WHEREAS, the CCR remedies for non-payment include interest, costs, legal actions, attorneys' fees, liens, and foreclosures, and,

WHEREAS, the Association may incur administrative and other costs related to the non-payment of homeowners' dues prior to the initiation of legal actions,

NOW, THEREFORE, BE IT RESOLVED, it is hereby agreed as follows:

1. The Board of Directors of the Association approves, adopts, and implements a delinquency administration fee on unpaid homeowners' accounts effective January 1, 2016, and,
2. This fee will be a fixed fee of \$25.00 to be assessed on each homeowner's account on the first day of any month in which a delinquent unpaid balance exists in that homeowner's account, and,
3. This fee will be assessed on each homeowner's account up to a maximum of 6 months per year, or \$150.00 per year, and will begin again on January 1 of each new calendar year, and,
4. The Property Agent, under the supervision of the Association's Treasurer, will add this administration fee to each delinquent homeowner's account and provide timely monthly notification to each homeowner for which this fee has been imposed on an un-paid balance, and,
5. The Property Agent will provide to the Treasurer on a monthly report the status of all delinquent homeowner's accounts including the principal owed and any administration fees added and accumulated, and,
6. The Board of Directors delegates to the Treasurer the authority to resolve any homeowners' cases of hardships, errors, insignificant amounts, or other homeowner appeals concerning the assessment or collection of any administration fees; however, any homeowner may appeal to the full Board any adverse decision made by the Treasurer in this regard.