The Management Trust™
Community Management. Built Differently.

RESOLUTION of THE EVERGREEN SHORES BEACH CLUB COLLECTION POLICY

WHEREAS THE BOARD OF DIRECTORS has the authority and pursuant to Section 20 of the Associations Declaration of Covenants Conditions and Restrictions and Article IX of the Bylaws of **THE EVERGREEN SHORES BEACH CLUB ASSOCIATION** to act in the interest of the association; and

WHEREAS THE BOARD OF DIRECTORS requires a specific delinquent assessment collection process in order to assist routine operations; and

BE IT RESOLVED that the following delinquency policies shall apply to all homeowner accounts with a past due balance:

1. **Authority:** The Managing Agent is hereby authorized, on behalf of the Association, to take action in collection of any delinquent assessments on behalf of the Association and the Board of Directors and the Managing Agent is authorized to proceed with the following collection procedures, including but not limited to:
    a) Providing written notice of past due balance to the unit owner.
    b) Filing a lien.
    c) Submitting account to legal counsel or collection agent/agency.
    d) Proceed with foreclosing on the lien.
    e) Filing a Complaint in the courts.

2. **Written Notification:** All notifications regarding delinquent accounts will be in writing and sent via US Mail to the mailing address provided by the unit owner or the unit address.

3. **The Process:**
    a) Month 1, after the late date (the 30th day of the month) – Written notification of past due account to the unit owner advising the unit owner of the past due account and suspension of access to amenities.
    b) Month 2, after the late date (the 30th day of the month) – Written notification, a delinquent notice with notice of intent to Lien if past due balance not cured by specified date.
    c) Month 3, after the late date (the 30th day of the month) – Written notification, confirmation Lien was filed with a demand requiring the past due balance to be resolved by specified date for or account will be turned over to collection attorney/agent for further collection action.
    d) Month 4, after the late date (the 30th day of the month) – with no response/cure and account still

delinquent, Managing Agent will assign the account for further collection action to the Association's collection attorney or collection agency.

e) Managing Agent will proceed with the authority granted to it in Section 1 above to pursue collection of the past due account with all available remedies.

4. **Payment Plans: THE EVERGREEN SHORES BEACH CLUB ASSOCIATION** Board of Directors and Its Managing Agent understand that Homeowners may be experiencing a temporary difficult financial period due to illness or unemployment and is willing establish a payment plan with the homeowner, with the goal resulting in a complete recovery of past due assessments without the additional fees and costs of foreclosure litigation. Upon written request from the homeowner for a payment plan, the Managing Agent will prepare a payment plan agreement for homeowner signature and agreement to resolution of the past due amount in a reasonable time frame. The agreed upon payment plan will be monitored monthly and failure to comply with the terms may result in the account being escalated to legal counsel for further collection action.

5. **Delinquent Assessments:**
   a) The due date for all assessments, both annual and special, is the first day of the calendar month in which the assessment is due.
   b) Any Assessment not received prior to the 30th day of the month is delinquent and subject to a late charge assessment.

6. **Assessments Defined:** The procedure is applicable to all "assessed" costs. For the purpose of this policy, the definition of assessed costs or assessments includes:
   a) regular and special assessments, dues,
   b) fines,
   c) late fees and interest,
   d) reimbursable expenses
   e) costs associated with collection of past-due account including administrative fees, legal fees, and collection fees,

7. **Late Charges, Fees, Collection Expenses:**
   a) All assessments, regular and special, will be assessed a late charge for each month the account maintains a delinquent balance.
   b) Interest, if applicable, will be applied to the unit owner's account as of the late date for each month the account maintains a delinquent balance.
   c) For each action of the Managing Agent including notices of past due assessments, legal/agency follow up, payment plan monitoring, an administration fee is assessed to the account.
   d) Liens placed on property incur a charge from the Managing Agent for filing the initial Lien, any update or revision, and the Release of Lien when the owner's account is current. This cost will be assessed to the Unit account at the time of filing the record and is collectible as any other assessment.

e) Collection Expenses:
   i. All expenses incurred by the Association or the Board of Directors, including all legal costs, fees of collection agencies, and fees to file or release a lien with the county, will be assessed to the Homeowner, and further are subject to all the provisions of this Article.
   ii. Costs for special handling of notices such as certified mail or process servers will be assessed to the unit's account.
   iii. Management Company additional fees for services are outlined in Exhibit A of the Management Agreement and may be subject to changes with notice to **THE EVERGREEN SHORES BEACH CLUB ASSOCIATION** Board of Directors.

8. **Waiver of Collection Procedures: THE EVERGREEN SHORES BEACH CLUB ASSOCIATION** Board of Directors reserves the right to waive these procedures when a member notifies the Board or its Managing Agent that a special hardship exists and the Board agrees, in writing, to waive these procedures for a specified period of time.

Resolution hereby adopted this 15th day of June, 2023 at a duly held meeting of **THE EVERGREEN SHORES BEACH CLUB ASSOCIATION** Board of Directors and recorded in the Minutes of the meeting.

T. Wilson President
Signature

6-16-23
Dated

Secretary
Signature

6/16/23
Dated