

## **GSPOA Policy on Delinquent Payment of the Water Pipe Replacement Special Assessment**

*Adopted by the GSPOA Board on 12/09/06*

### **Explanation:**

The special assessment to fund the replacement of the water distribution system was passed by the membership at the Annual General Meeting on October 28<sup>th</sup>, 2006. The annual special assessment is \$407 per lot and commences in 2007. Please refer to the GSPOA Bylaws and the Treasurer's Policies and Procedures manual for specific information about which lots are considered "dues paying lots."

Monthly statements are sent to all members with an outstanding balance. The GSPOA PO Box is monitored on a consistent basis to assure that member payments are received, recorded and deposited in a timely manner.

**January** - The annual assessment will be invoiced in January and is due March 1<sup>st</sup>.

**March 1<sup>st</sup>** - The assessment is considered delinquent if not paid in full by March 1<sup>st</sup>.

**July 1<sup>st</sup>** - If the special assessment is not paid in full by July 1<sup>st</sup>, GSPOA files a lien on the member's property through the Association attorney. This lien is filed with the Whatcom County Auditor.

**August 31<sup>st</sup>** - If the special assessment is not paid in full by August 31<sup>st</sup>, voting privileges are suspended and reinstated only upon payment in full of the assessment and any associated fees.

**September 1<sup>st</sup>** - If the special assessment is not paid in full by September 1<sup>st</sup>, GSPOA may commence lien foreclosure actions.

Members are liable for all fees associated with delinquent accounts. This may include but not be limited to:

- collection letters
- attorney costs associated with preparing and filing a lien – not less than \$100
- attorney costs associated with preparing and releasing a lien – not less than \$100
- attorney costs associated with foreclosure actions, including litigation guarantees and court costs – not less than \$1,100

A release of lien is filed upon payment in full of the assessment and any associated fees, including all costs and attorney's fees incurred by the Association.

### **Special Payment Plans:**

A member may request a Special Payment Plan, which evenly divides the assessment into six installments. Payments are \$67.84 per month for six months.

To request a Special Payment Plan:

1. Complete the Special Payment Plan contract which will be included with the annual assessment invoice;
2. Enclose your first installment payment of \$67.84 with your contract by March 1<sup>st</sup>.

Special Payment Plan requests are considered approved unless otherwise notified.

The delinquency policy for a Special Payment Plan is as follows:

**January** – The annual assessment will be invoiced in January. Special Payment Plan contract and first installment payment are due March 1<sup>st</sup>.

**March 1<sup>st</sup>** – Contract and first payment due. The assessment is considered delinquent if the first installment is not paid by March 1<sup>st</sup>.

**April 1<sup>st</sup>** – Second payment is due.

**May 1<sup>st</sup>** – Third payment is due.

**June 1<sup>st</sup>** – Fourth payment is due.

**July 1<sup>st</sup>** – Fifth payment is due.

**August 1<sup>st</sup>** – Sixth payment is due.

The assessment is considered delinquent if any installment is not paid in full by the due date.

If any installment is delinquent 120 days, GSPOA files a lien on the member's property through the Association attorney. This lien is filed with the Whatcom County Auditor.

If any installment is delinquent 180 days, GSPOA may commence lien foreclosure actions.

If any assessment is delinquent as of August 31<sup>st</sup>, voting privileges are suspended and reinstated only upon payment in full of the assessment and any associated fees.

Members are liable for all fees associated with delinquent accounts. This may include but not be limited to:

- collection letters
- attorney costs associated with preparing and filing a lien – not less than \$100
- attorney costs associated with preparing and releasing a lien – not less than \$100
- attorney costs associated with foreclosure actions, including litigation guarantees and court costs – not less than \$1,100

A release of lien is filed upon payment in full of the assessment and any associated fees, including all costs and attorney's fees incurred by the Association.

### **References:**

- GSPOA Bylaws, Section 1 (e), Section 11
- GSPOA Covenants and Restrictions, Article III (2)
- GSPOA Resolution 2006-2, "Resolution to Approve a Special Assessment to Fund the Replacement of the Water Distribution System"
- GSPOA Treasurer's Policies and Procedures manual