

**RESOLUTION OF THE  
CENTRE POINTE STATION CONDOMINIUM ASSOCIATION  
COLLECTION POLICIES AND PROCEDURES**

The following policies and procedures were adopted by resolution of the Board of Directors ("the Board") of the Centre Pointe Station Condominium Association ("the Association") pursuant to the Declaration, Articles and Bylaws of the Association, and Colorado law at a regular meeting of the Board.

Colorado law requires the Association to adopt policies and procedures for the collection of unpaid assessments. The Board also deems it desirable to adopt and define the method in which the Association will apply partial payments on a Member's account.

THEREFORE, IT IS RESOLVED that the following procedures shall apply to the Association's collection of sums alleged to be due from the Member.

**1. Due Date, Late Fees, and Interest:**

Any Member's monthly installment of the Common Expense Assessment, not paid by the first of the month, is due and shall be considered delinquent. If the payment is not received by the tenth day of the month in which the payment is due, the Member's account will be subject to a late fee in the amount of five percent, (5%) of the outstanding balance of the account and other interest as provided in the Declaration.

**2. Notice of Delinquent Account:**

The Association, through its agent, shall notify the Member of the delinquent payment: once after the tenth day of the month in which the payment was due; and a second time thirty days after the late fee and interest have been charged to the account.

In the event the delinquent balance is not paid in full within thirty days of the second notice, the Board may accelerate the remainder of the annual assessment provided notice of acceleration is provided to the Member prior to the remainder of the assessment being called due.

Notices shall be in writing and delivered to the Member, via U.S. Mail first class postage prepaid, addressed to the Member at the address, which the Member has registered, with the Association.

The Association, pursuant to its right to recover legal costs of collection, shall have the right to recover its actual costs of maintaining the delinquent balance, written notice to the Member, and other costs associated with the Member's delinquency.

### **3. Collection Procedure:**

In the event the alleged delinquent balance is not resolved within thirty days of the second written notice of delinquency set forth above, the Board of Directors, through the designated agent, may refer the Member's account to the Association's attorney for collection.

Generally the Association's attorney will prepare and record a Notice of Assessment Lien against the real property subject to the assessment obligation. The Association's attorney may prepare and mail a letter demanding payment of a sum equal to the alleged delinquent assessment, late fees, interest, costs of collection including attorney fees, court costs, and other legal costs incurred up to the date the letter was prepared.

If the delinquent balance is not resolved within thirty days of the attorney's letter demanding payment, the Board of Directors, through its designated agent, may authorize the Association's attorney to file a lawsuit asserting claims against the Member of property subject to the assessment obligation, an action to foreclose the Assessment Lien encumbering the real property subject to the assessment obligation, or both. The lawsuit shall claim the alleged assessment delinquency, late fees, interest, costs of collection including attorney fees, court costs and other legal costs incurred through the date of judgment or decree.

Nothing in this policy precludes the Association from seeking the appointment of a receiver or implementing other legal and equitable methods to collect the alleged delinquent assessments, late fees, interest and costs including attorney fees.

The Board of Directors may designate a Committee of the Board, Board Member, or the Managing Agent, to work with the Association's attorney for purposes of authorizing settlement agreements and authorizing collection efforts. The designated agent shall use diligent efforts to timely communicate with the Association's attorney with respect to changes affecting the account including, but not limited to, payments on account, additional debits on the account, bankruptcy filings, foreclosure proceedings and conveyances.

### **4. Partial Payments on Account:**

Any payments of less than the full amount owed to the Association shall be applied to pay the following (if applicable) in the order listed, from oldest to most recent in each category:

- 1<sup>st</sup> to attorney fees and legal costs,
- 2<sup>nd</sup> to association's costs and other legal charges,
- 3<sup>rd</sup> to fines,
- 4<sup>th</sup> to late charges,

