

DELINQUENT ASSESSMENT COLLECTION POLICY
Adopted December 10, 2005
Amended May 9, 2009

This Policy supercedes Ludlow Maintenance Commission (LMC) Delinquent Assessment Collection Policy of June 15, 2002.

Pursuant to the LMC Bylaws Article VIII, Section 2, "Payment of annual dues or of any assessments established by the LMC Board of Trustees shall be due within thirty (30) days after invoice and will be subject to a late payment penalty determined by the Board of Trustees." The delinquent assessment, late payment penalty, expenses, attorneys fees and court costs and all other costs shall constitute a lien on the delinquent member's real property and may lead to foreclosure proceedings in the manner provided by law for foreclosure of real property mortgage liens.

The Board of Trustees establishes the following procedure for Assessments and Collection to be effective January 1, 2006.

The Assessment invoices will be mailed on or before December 31. The invoices will be dated January 15 and will be due by February 14.

Assessment payments not received or postmarked by the next business day after February 14 will result in a monthly late payment penalty of **0.83 %** (equal to 10 percent per annum) of the delinquent amount, which penalty will be levied for each delinquent month effective February 14 and will be billed to the delinquent member until full assessment and late payment penalties are received. All monies received shall be applied first to any delinquent penalties due.

Delinquency Notice Reminders to members with delinquent assessments will be mailed during the first business week after February 14, and monthly thereafter. All reminders will include a current statement of delinquent amount and penalty balances.

At the April LMC Board meeting, Trustees will receive a list of all delinquent members and properties from the Finance Committee and take board action to Authorize to File Liens against all properties of all delinquent members.

During the first business week following the April board meeting the LMC will file appropriate lien documents as directed by the Board of Trustees. When filed a \$200 lien filing fee will be added to all delinquent accounts.

The LMC will forward a copy of the lien documents with a covering letter to all delinquent members by certified mail (return receipt requested).

A list of delinquent members will be posted with the Beach Club Hostess and all delinquent members will be denied use of the LMC facilities.

All delinquent accounts totaling \$1,000 or more in unpaid assessments, penalties and fees may be referred to the LMC's attorney to institute foreclosure proceedings or other legal proceedings, as directed by the Board of Trustees.