

# Wilderness Trails Homeowners Association

## Policies and Procedures

### Collection Policy

**PURPOSE** – The chief function of the Collection Policy is to ensure compliance of the homeowners to allow the organization to be financially responsible for maintaining the WTHOA community in cooperation with Wilderness Trails Homeowners Association Declaration of Dedication and Restrictions; Section 6 under 1 the Board of Supervisors

**PROCESS** – The WTHOA yearly assessment, allows the organization to operate for the community's shared interest and to perform its core maintenance functions. Homeowners are expected to pay their annual assessment and common services for trash, snow/salt removal and lawn care, etc., upon receipt of their statement.

1. The \$300 annual assessment is requested on January 1 each year and expected to be paid upon receipt. Once the assessment is delinquent after April 1 of the same year, a 10% late fee will be charged to the homeowner.
2. Trash, ice and snow removal and lawn care charges for the community will be totaled quarterly and divided equally among the residents. The total owed per resident will be emailed to each homeowner.
3. Monthly statements will be provided to all homeowners with an outstanding balance greater than 90 days overdue.
4. First Notice - Any homeowner over 90 days past due as noted on their statement, will be charged a 10% late fee as noted on their statement, unless the past due amount is less than \$100. The homeowner will be informed the late fee will be allocated monthly and added to the total monthly statement until the outstanding balance is paid in full.
  - a. It is expected the overdue bill will be paid in full upon receipt of the statement.
5. Second Notice - If the homeowner does not pay in full within 30 days post statement (**total of 120 days delinquent**), the first *Notice of Delinquency* will be sent. This notice will advise the homeowner of their delinquency and ask them to pay their balance or agree to a monthly payment plan agreed by both parties.
  - a. If the payments are made as agreed in the Notice of Delinquency or if a monthly payment plan is agreed, as defined in the Payment Plan, all late fees will be waived.
6. Third Notice - If homeowner fails to respond to the first *Notice of Delinquency* (**total of 150 days late**) or contact the treasurer in response to the request, a second *Notice of Delinquency* will be sent reminding the homeowner of their past due amount and late fees. A member of the Board of Directors can also contact the homeowner via phone call to address the past due bill and attempt to set up payment or a payment plan.
7. If the homeowner fails to respond to the *Second Notice of Delinquency* or pay their balance owed (**total of 180 days**), a *Final Notice of Delinquency* will be sent that legal action will be taken, such as a lien, if homeowner has not responded in writing or in person to a board member.

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- a. The homeowner has 30 days from delivery receipt to respond to the *Final Notice of Delinquency*.
  - b. The board will vote to agree on issuing a lien prior to acting.
  - c. The cost of the lien filing will be added to the homeowner's balance. The lien will be recorded with the Recorder of Deeds in Jefferson County, MO
8. Once the homeowner pays the balance owed, the lien will be removed, again at the expense of the homeowner.

## Notice of Delinquency

1. The Notice of Delinquency is to be used as a notice to a homeowner who is delinquent with their yearly assessments and common services.
2. This notice can be used for an initial, second and third notice of delinquency to a homeowner.

## Payment Plan

1. All homeowners have the option to agree to a Payment Plan if they cannot pay their total balance and prefer the option to a monthly plan.
2. According to the Payment Plan, homeowners have 3 options -
  - a. Immediately pay the balance in full
  - b. Pay a partial payment of designated amount set up by the homeowner and pay the full balance by a certain reasonable date agreed by the treasurer and homeowner.
  - c. Pay a partial payment and make monthly payments until the balance is paid in full.
    - a. If the homeowner falters from the agreement and is negligent to pay as agreed one time, the 10% late fee charge will be applied.
3. If the homeowner agrees to a Payment Plan, interest will be waived if the homeowner continues to make payments as agreed.
4. A copy of the signed payment plan will be provided to the homeowner for their records and a copy will be retained by the WTOA treasurer.
5. If the homeowner misses one monthly payment as agreed, the interest will again be reinstated.

## Late Notice Communication

1. The *Notice of Delinquency* will be included with the monthly statement.
2. The *Final Notice of Delinquency* will be sent certified mail to assure the homeowner receives the notice.
3. All verbal communication with the homeowner will be documented by the board member who contacts the homeowner, and a copy will be sent to the homeowner for their records.