

THE WOODLANDS WINDING BROOK HOMEOWNER'S ASSOCIATION, INC.
DELINQUENCY POLICY RESOLUTION

WHEREAS, the Woodlands Winding Brook Homeowner's Association, Inc. ("Association") is responsible for the maintenance, improvement, repair, and operation of certain portions of the residential community known as Woodlands Winding Brook; and

WHEREAS, by purchasing a home or lot within the community, each owner covenanted and agreed to pay assessments to the Association for his or her pro rata share of the Association's common expenses; and

WHEREAS, there is a need to create orderly procedures for the collection of assessments which remain unpaid past their due date since delinquent assessments pose a serious financial and administrative burden on the Association.

NOW, THEREFORE, BE IT RESOLVED that the duly elected Board of Directors of the Association have adopted the following procedures, rules and regulations for the collection of assessments:

1. Assessments are due and payable in advance for each payment period, with the due dates being set by the Directors of the Association.
2. To be deemed timely, payments must be received (not just postmarked) by the due date at the designated mailing address of the Association.
3. If an owner has not paid by the applicable due date, the Association shall send out two "Late Notices" before the account is turned over to an attorney's office for collection.
4. Any payment or installment not received by the applicable due date shall result in interest, in the amount of fourteen percent (14%) per annum, which is one and two-thirds percent (1.67%) per month, being added to the delinquent assessment. The interest shall be added to the owner's account and shall be deemed a part of the indebtedness to the Association.
5. If the owner has not entered into an acceptable payment agreement with the Association or paid the assessments in full after the Second Late Notice is sent, the Association may turn the matter over to the Association's attorney for collection.
6. Once an owner's account is turned over to the Association's attorney, all communications by the delinquent owner must be directed to the attorney's office.
7. Notwithstanding the foregoing, the Board of Directors shall have the authority to immediately record a lien on an owner's property without prior notification to the owner.
8. Payments received will be applied in the following order: (1) attorneys' fees, court costs and expenses incurred by the Association, (2) collection costs of the Association's property management company, (3) late charges, (4) charges incurred by the Association for "bounced" or "stopped payment" checks, then (5) outstanding assessments.

Document Vote Passed at Annual Meeting 10/13/2022 - see meeting minutes for details.

President HOA Board The Woodlands

