
HAMPTON VILLAGE HOMEOWNERS' ASSOCIATION

DELINQUENT ASSESSMENT COLLECTION POLICY

1. Regular Assessments, Water Usage Assessments, and Special Assessments, and Reimbursement Assessments are due, in advance, on the first (1st) day of each assessment period and delinquent if not received, in full, by the Association within fifteen (15) days after the due date thereof. Special Assessments are due on the dates(s) specified upon imposition and each installment thereof shall be delinquent if not received by the Association within fifteen (15) days after it is due. A late charge of ten dollars (\$10.00) or ten percent (10%) of the delinquent assessment, whichever is greater, shall be due on any such delinquent assessment. The Association may also recover interest on all such amounts due once due and unpaid for thirty (30) Days, at the rate of twelve percent (12%) per annum.
2. If any portion of any such assessment (other than Reimbursement Assessments), late charge, interest or cost of collection remains unpaid sixty (60) days after the original due date, a "Notice of Intent to Lien" will be prepared and sent to the owner(s) by certified mail. The Notice will, among other things, state the current charges owed by the owner(s), and any additional information required by California Civil Code Section 5660 or comparable superseding statute.
3. If all such amounts have not been received ninety (90) days after the original due date thereof, or thirty (30) days after the mailing of a "Notice of Intent to Lien," whichever is later, a Notice of Delinquent Assessment ("Lien") will be prepared and recorded as to the delinquent property and the owner(s) thereof, and all resulting collection fees and costs will be added to the total delinquent amount secured by the lien.
4. If all such amount have not been received, in full, within thirty (30) days after the recordation of such Lien, or within the time frame outlined in Civil Code Section 5680, whichever occurs later, the Association may, without further advance notice to the owner(s), proceed to take any and all additional enforcement remedies as the Association, in its sole discretion, deem appropriate, including, without limitation, non-judicial foreclosure of such Lien, judicial foreclosure, or suit for money damages, all at the expense of the property owner(s).
5. The Association may recover all reasonable cost incurred in collecting any delinquent assessment, including reasonable attorney's fees.
6. The Board may, for good cause based upon the Board's sole discretion, agree to a payment plan which permits payment of the delinquent assessment(s), late charges, interest and collection costs.
7. Unless the Board agrees to a payment plan, all amounts due pursuant to this policy, and all other assessments and related charges thereafter due to the Association until all such amount are paid, must be paid in full and the Association shall not be required to accept any partial or installment payments from the date of the institution of any action to enforce the payment of delinquent amounts to the time that all such amounts are paid in full.
8. All payments received by the Association, regardless of the amount paid, will be directed to the oldest assessment balances first, until such time as all assessment balances are paid, and then to late charges, interest and costs of collection unless otherwise specified by written agreement.
9. The Association shall charge a "returned check charge" of twenty-five dollars (\$25) for all checks returned as "non-negotiable," "insufficient funds" or any other reason.
10. All above-reference notices will be mailed to the owner(s) at the last mailing address provided in writing to the Association by such owner(s).
11. The mailing address for regular assessment payments is The Management Trust, P.O. Box 80297, City of Industry, CA 91716-8297. The mailing address for overnight payment of assessments is The Management Trust, Attn: Lockbox # 80297, 19935 E. Walnut Drive North, Walnut, CA 91795. A different address for delivery of assessment and related payments may be designated by the Board from time-to-time.
12. The Board of Directors of the Association may revise this policy, either generally or on a case-by-case basis, if it finds good cause to do so.