BRENTWOOD HILLS HOMEOWNERS' ASSOCIATION, INC.
UNIFORM COLLECTION POLICY

WHEREAS the Board of Directors ("Board") of the Brentwood Hills Homeowners' Association, Inc. ("Association") is charged with the responsibility of collecting assessments for common expenses from homeowners pursuant to the Governing Documents; and

WHEREAS from time to time homeowners become delinquent in their payments of these assessments and fail to respond to the demands from the Board to bring their accounts current; and

WHEREAS the Board deems it to be in the best interests of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner, and further believes it to be in the best interests of the Association to refer these accounts promptly to an attorney for collection to minimize the Association's loss of assessment revenue; and

WHEREAS the Board has retained the Association's attorneys for their experience in representing homeowner associations in collection matters; and

WHEREAS the Board has directed the Association's attorneys to represent the Association on the terms outlined in this Resolution.

NOW, THEREFORE:

BE IT RESOLVED that the Association's attorneys shall pursue all collection and other matters which the Board, acting through the Managing Agent, may from time to time refer to them and to provide any advice and counsel which the Board may from time to time require; and

BE IT FURTHER RESOLVED that the Managing agent and the Attorney are authorized to impose estoppel fees as allowed by law; and

BE IT FURTHER RESOLVED, that pursuant to the Governing Documents, assessments are due within five (5) days of the due date, and those accounts whose payments have not been posted to the Association's bank account within fifteen (15) days after the due date will be considered delinquent and shall bear interest at the highest rate allowed by law, which will accrue from the first (1st) day of the assessment month, and late fees of twenty-five dollars ($25); and

BE IT FURTHER RESOLVED that the Managing Agent is directed to send to any homeowner who is more than six (6) days delinquent, as described above, in the payment of regular or special assessments, or other charges authorized by the Association's governing documents or state statutes ("Assessments"), a written Notice of Late Assessment ("NOLA") pursuant to Florida Statute with a request for immediate payment, and will provide homeowners thirty (30) days to pay the amounts detailed on the NOLA in full; and

BE IT FURTHER RESOLVED that if the account remains unpaid following expiration of the NOLA, the Managing Agent is directed to have the Association's attorney take formal legal proceedings against the owner, including but not limited to sending the statutorily required forty-five (45) day notice of intent to lien, which shall include legal fees, costs of the Association, and an additional collection cost to offset the costs of the Managing Agent working with counsel to collect said delinquent assessment; and

BE IT FURTHER RESOLVED that the Attorney is authorized to record a claim of lien against the delinquent property and issue written notice, that if the account is not paid in full within forty-five (45) days the Attorney shall thereafter be authorized to bring an action to foreclose the Association's lien or recover damages, and the homeowner will be liable for payment of all charges imposed by the Association's attorney and Managing Agent to cover fees and costs charged to the Association; and

BE IT FURTHER RESOLVED that the Attorney shall have the authority, at the Attorney's discretion, to bring an action to recover a money judgment for any unpaid assessments without waiving the Association's right claim of lien; and

BE IT FURTHER RESOLVED that, as required by law, any payment received by the Association and accepted shall be applied first to any interest accrued, then to any actual costs and reasonable attorney's fees incurred in collection, and then to the delinquent Assessment; and

BE IT FURTHER RESOLVED that the Managing Agent is directed to consult with the Association's attorneys and turn over for collection immediately any account where the owner files or is the subject of a petition for relief in bankruptcy or a lender has commenced any action for foreclosure of its lien against the unit; and

BE IT FURTHER RESOLVED that the following policies shall apply to all delinquent accounts turned over to the Association's attorneys for collection:

1. All contacts with a delinquent homeowner shall be handled through the Association's attorneys. Neither the Managing Agent nor any Association officer or director shall discuss the collection of the amount directly with a homeowner after it has been turned over to the Association's attorneys unless one of the Association's attorneys is present or has consented to the contact.

2. All sums collected on a delinquent account shall be remitted to the Association in care of the Association's attorneys until the account has been brought current, unless otherwise agreed to by counsel and management.

3. The Association's attorneys' legal fees, costs and actual costs of the Managing agent shall be assessed against each delinquent parcel and its owner when the account is turned over to the Association's attorneys for collection.

IN WITNESS WHEREOF, The Board of Directors has approved the provisions hereof this 13 day of Feb, 2024, at a duly called meeting of the Board at which a quorum was present, by a vote of 3 to 1

Respectfully submitted, _____ Secretary