

## **Elk Ridge Heights HOA Delinquent Assessments Policy**

1. **Notice of Assessment (1<sup>st</sup> Invoice)**: A minimum of 10-day prior notice (invoice) of all Regular and Special Assessments shall be sent to the Owner of every lot. The due date shall be the first day of each quarter unless specified otherwise.
2. **Grace Period and First Late Notice (2<sup>nd</sup> Invoice)**: The Owner who has not remitted assessment payment within 30 days of the due date will be notified in writing of the past due payment with a request to pay within 10 days of notice (prescribed date). This notice will include notice of the late fees and interest should the delinquency not be corrected (this policy, in accordance with the Association's CC&Rs).
3. **Second Late Notice and Late Fee (3<sup>rd</sup> Invoice)**: If the past due payment is not paid by the prescribed date, a late fee of 10% of the delinquent amount will be assessed and charged to the Owner's account, payable along with the original assessment within 10 days of notice. The owner is notified of the charge and provided an invoice for the total outstanding amount.
4. **Continued Delinquency**: Should the delinquency continue after 20 days of the First Late Notice, in addition to the late fees described above, the delinquent installment shall accrue interest at 12% per annum (charged monthly), calculated from the date the installment was originally due to and including the date full payment is received by the Association. In addition to the late fee and interest, the Association may assess and charge costs of collecting the delinquent installment, including but not limited to the cost of collection contacts, consultant charges and attorney fees.
5. **Claim of Lien**: At any time after the total amount of delinquent assessments and fees exceeds \$500.00, the Association or its Agent may record a claim of lien in the office of the Spokane County Auditor for the amount of the fines and all costs incurred by the Association, including interest set forth in the CC&Rs, legal fees, other costs and any additional fees assessed against the Owner's lot. A copy of the recorded lien will be provided to the Owner. Upon payment to the Association of all outstanding charges, the Association shall record a notice in the office of the Spokane County Auditor stating the satisfaction of the said claim of lien.
6. **Enforcement**: The Association or its Agent may enforce the obligations of the Owner to pay said fees and assessments by commencement and maintenance of a suit to obtain a money judgement for unpaid assessments, fines and other charges. Furthermore, the Association may foreclose the lien in accordance with the Washington Code. The Owner shall, in addition to the amount of the lien and all such further fines that are assessed during the course of the suit or foreclosure action, be liable to the Association for all reasonable legal fees and costs incurred.