

The Greens at Pelican Point Homeowners Association, Inc.

Resolution for Collection of Delinquent Dues and Special Assessments

Whereas, the Greens at Pelican Point is a non-profit corporation pursuant to the provisions of Louisiana law, particularly the Louisiana Non-Profit Corporation law;

Whereas, the Corporation is vested with powers and duties pursuant to the Acts of Restriction and is authorized to exercise and enjoy all of the powers, rights and privileges granted to or conferred upon non-profit corporations;

Whereas, the Acts of Restriction authorize the Corporation, through its Board of Directors, to collect monthly dues which are due and payable in full prior to the 1st of each month;

Whereas, the Acts of Restriction authorize the imposition of lien rights to enforce the collection of delinquent dues;

Whereas, the Articles of Incorporation authorize the adoption of bylaws stating the purpose for which the corporation was organized;

Whereas, the Greens 2010 Amended Bylaws, Article VIII, Section 1 (c) and Article XI authorize the Board of Directors to assess late fees of twenty-five (25) dollars per month for any member not paying their dues or special assessments within thirty (30) days of the due date; and

Whereas, the 2010 Amended Bylaws, Article VIII, Section 2 (c) (5) authorizes the Board of Directors to “place and foreclose the lien against any property for which dues and/or special assessments are not paid within thirty (30) days after the due date or to bring an action at law against the owners personally obligated to pay the same”; therefore

Be it Resolved that the Board of Directors of the Greens at Pelican Point, Inc. does establish by this Resolution the attached procedure for the collection of delinquent dues and and/or special assessments.

Procedure for Collecting Delinquent Dues and/or Special Assessments

1. Dues notices are mailed quarterly from the PPHOA office at least two weeks prior to the due date which is the first day of the month. Assessment notices will state the due date.
2. If dues/assessments are not received within **fifteen (15) days** of the due date, dues/assessments are considered to be delinquent. The member is notified, reminded of the delinquency, asked to make payment arrangements, and informed that a late fee of twenty five (\$25) dollars per month will be charged if not paying within thirty (30) days of the due date.
3. If the dues/assessments are not received within **thirty (30) days** of the due date, the Greens HOA president will instruct the HOA attorney to prepare a certified letter notifying the resident that a lien will be filed within seven days of the delivery of the letter. Copies of a sworn detailed statement of delinquent dues/assessments, late fees and invoices accompany the letter. If the full amount of the debt is paid, no further action is taken. Failure to pay or make arrangements to pay the debt within the 30 days may also results in legal action being brought against the resident for the full amount of the debt, as well as legal interest, attorney fees and the cost of court filings. There is also an opportunity to dispute the amount claimed due within 30 days. (See also LSA-RS: 1145 et seq.)