

**The Luxury Lodges at Sunset Bay  
Homeowners Association  
Collection Policy and Procedures**

The Luxury Lodges at Sunset Bay Board of Directors has a procedure in place concerning the collection of delinquent assessments, including time frames of notices, late fees and when the account gets turned over to legal council. This policy may be amended by the Board of Directors.

**Late Fees and Interest**

Monthly assessments are due in the Management Office on the first of each month. If dues are not received by Management by the 15<sup>th</sup> of the month, a \$25 late fee is applied.

**Time Frames**

Management will call the homeowner when they are one month delinquent. If they are two months delinquent, a 20 day pre-lien letter is sent from Management asking the homeowner to contact Management immediately to make arrangements for payment.

If payment is not received, a 10 day demand letter is sent by Management and a \$25 administrative fee is assessed to the delinquent account, payable to Sunset Bay.

**Legal Counsel**

If payment is not received by the end of the 10<sup>th</sup> day, the account is turned over to legal council who then sends a certified letter to the delinquent homeowner. A Statement of Lien is signed and notarized by the Board President and one other officer of the Board of Directors. The Lien is filed with Weld County. All legal fees and filing charges are billed to the delinquent Homeowner.

At the time a lien is placed upon the delinquent property, the Lender will be notified of the unpaid assessments.

*Declaration of Covenants, Conditions, and Restrictions for the Luxury Lodges at Sunset Bay. General Remedies of Association for Nonpayment of Assessment.*

8.15 *Effect of Non-Payment of Assessments: Remedies of Association. Any assessment not paid within ten (10) days after the due date thereof may bear interest at the rate of twenty-one percent (21%) per annum, or at such lesser rate as may be set from time to time by the Executive Board, and the Executive Board may in addition assess thereon a late charge not in excess of Twenty-Five Dollars (\$25.00) per month. The Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against such Owner's Unit. If a judgment or decree is obtained, including, without limitation, in a foreclosure action, such judgment or decree shall include a reasonable attorneys' fee to be fixed by the court, together with the costs of the action, and may include interest and late charges as above provided. No Owner may be exempt from liability for payment of the assessments by waiver of the use or enjoyment of any of the Common Elements or by abandonment of the Unit against which the assessments are made. This Article does not prohibit actions or suits to recover sums for which this Declaration creates a lien or to prohibit the Association from taking a deed in lieu of foreclosure. The Master Association and the Metro District have similar enforcement rights.*

*The remedies provided under this Declaration shall not be exclusive, and the Association may enforce any other remedies to collect delinquent Assessments as may be provided by law.*

**Certification**

The undersigned, being the duly elected and acting Secretary of The Luxury Lodges at Sunset Bay Association certifies that the foregoing Collection Policy and Procedure was approved by vote of Association Directors at a meeting held on January 21, 2010.

Date: January 21, 2010

The Luxury Lodges at Sunset Bay  
Homeowners Association

By: Bonnie Carlson  
Bonnie Carlson, President