

**RESOLUTION ON DELINQUENT ASSESSMENT COLLECTION PROCEDURE**

Policy Resolution 001-2025 of Farmington Green Homeowners Association located in Farmington Hills, Michigan. A resolution pertaining to the procedure for the collection of delinquent assessments.

**WHEREAS;** the Association, through its duly elected Board of Directors, has a responsibility for collection of owner assessments.

**WHEREAS;** the following collection procedure is hereby confirmed.

1. The assessment for each unit is an annual charge. The payment of an assessment shall be in default if such assessment or any part thereof, is not paid to the Association in full on or before the due date for such payment. These installments are **due on the first** of March of each year, and are considered delinquent and in default on the **30<sup>th</sup>** of the month.
2. Delinquent assessments will cause a late charge in the amount of \$50.00, or any other such amounts as may be determined by the Board of Directors, to be automatically levied for each month the delinquent assessment is not fully paid by the 30<sup>th</sup> day of that month.
3. **FIRST MONTH:** Notice of the delinquency, the late charge levied, and any other costs charged to the owner's account shall be sent to the owner by the Association, or its designated agent by the 25<sup>th</sup> day of the month the delinquency occurs. Any omission or failure of the Association to send out such Notice does not constitute a waiver of the Association's ability to continue further collection actions as permitted under this policy and the Association's governing documents.
4. **SECOND MONTH:** If full payment of the delinquent assessment(s), late charges(s) and any costs is not received by the 30<sup>th</sup> of the second month, unless other satisfactory arrangements have been made with the Board of Directors; and/or its designated agent:
  - a. The matter may be turned over to the Association's attorney for handling, that may include an "Intent to Lien" letter sent to the delinquent owner advising that failure to pay the delinquency in full will result in the Association filing a lien against the property. Owners should be aware that they are responsible for all legal fees and costs incurred by the Association as a result of their delinquency.
5. **THIRD MONTH:** If full payment of the delinquent assessment(s), late charge(s) and any costs is not received by the 30<sup>th</sup> of the third month, unless other satisfactory arrangements have been made with the Board of Directors, and/or its designated agent:
  - a. The Association may proceed with recording a Notice of Lien. Notice of Lien will be sent to the delinquent owner and the mortgage lender will be notified of the delinquency, if applicable or appropriate.
6. **FOURTH MONTH:** If the delinquency or any part thereof continues past the 30<sup>th</sup> day of the fourth month, the Association may institute a lawsuit for the foreclosure of the lien and/or money damages for unpaid assessments and/or any other claims that the Association, through its legal counsel, may deem appropriate.
7. The expenses incurred in collecting the delinquency, including without limitation, late charges, interest, costs of collection and enforcement, including attorney's fees and advances for taxes or other liens paid by the Association to protect its lien, shall be chargeable to the owner in default and shall be secured by the lien on the owner's unit.
8. Failure to meet any of the time periods set forth herein shall not be deemed a waiver of the right of the Association to enforce or pursue its Delinquency Procedure.

**THEREFORE,** be it declared that this resolution was approved by Farmington Green Homeowners Association on 1/23/2025 and will become effective 2/1/2025.

Witness: \_\_\_\_\_  
Secretary of the Association

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Signed: \_\_\_\_\_  
President of the Association

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*Sean Ryan*  
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