

## **RESOLUTION FOR THE COLLECTION OF ASSESSMENTS**

Adopted by the Coleson Cluster Association Board of Directors 2 March 1998  
Reaffirmed by the Coleson Cluster Association Board of Directors 11 February 2013

Article VII, Section VII.1.(d)(2) of the Protective covenants (Deed of Dedication of Reston) provides that the Cluster Association Board of Directors shall have all powers necessary to carry out the purposes of the Cluster Association which are enabled by law or such Article VII, and which are not specifically reserved to the members or the Developer, including the right to: (a) permit payment of the annual assessment in installments and to declare the entire balance of the assessment immediately due and payable upon default in the payment of any such installment; (b) charge a late fee if payment of an assessment or other charge is delinquent and charge interest on any such delinquencies; and (c) assess the costs, including the attorney's fees and court costs of collecting delinquent amounts owing for assessments and other charges, and of enforcing Cluster rules.

Pursuant to that authority, it is RESOLVED that:

1. The annual assessment is to be paid in advance in quarterly installments.
2. Billing notices will be provided (normally via hand delivery) on or about the first day of the billing month (1 January, 1 April, 1 July, and 1 October). Non-receipt of a bill shall in no way relieve the homeowner of the obligation to pay the amount due by the due date. Payments are due before the end of the billing month. The quarterly payments will be delinquent, respectively, on 1 February, 1 May, 1 August and 1 November.
3. Delinquent accounts not paid within 30 days of the date of delinquency shall be assessed a late fee of \$30.00.
4. Homeowners who fall behind in their dues payments by two (2) quarters shall be reported to the Board of Directors and the Board may authorize one or more of the following actions to collect payment.
  - a. Upon a written request from the homeowner demonstrating to the Board's satisfaction that the homeowner, due to serious hardship, has been unable to pay assessments or other charges in a timely manner. The board may waive late fees and/or authorize the payment of the delinquent amount in installments.
  - b. In accordance with Article II, Section 1 of the Coleson Cluster By-Laws, the Board of Directors may suspend the delinquent homeowner from membership in the Coleson Cluster Association, pending full payment of the delinquent amount, including late fees.

## **RESOLUTION (continued)**

- c. Upon 10 days written notice to the homeowner, the Board of Directors may suspend the delinquent homeowner from any use of the Coleson Cluster carports, pending full payment of the delinquent amount, including late fees.
  - d. Upon 10 days written notice initiate a lawsuit in the appropriate court for the full amount due, which shall include assessment against the homeowner of all attorney's fees and court costs.
  - e. Upon 10 days written notice to the homeowner and the holder of the first deed of trust, file a lien on the property for which payments are delinquent. Such lien will include the total amount of the unpaid assessment and late charges, and reasonable administrative costs and attorney's fees.
5. Notice will be provided as set forth above and additional notices may be provided to remind homeowners of their obligations and these procedures for assessment and collection of assessments and other charges. However, failure to provide any such notices shall not affect the right of the Coleson Cluster Association to assess and collect assessments and other charges in accordance with these procedures. The Association shall endeavor to send bills and notices via first-class mail to absentee homeowners or agent, as known to the Treasurer, but failure to do so will not affect these provisions. Notification to homeowners of this resolution shall occur in a letter to each homeowner not later than 15 February 2013.