

**GEORGETOWN COMMUNITY SERVICES ASSOCIATION, INC.**  
**1234 King George Boulevard**  
**Savannah, GA 31419**  
**(912) 925-2861**

**ADMINISTRATIVE RESOLUTION NUMBER 2012-3**

**PROCEDURES FOR COLLECTIONS**

**WHEREAS**, Article V of the Georgetown Community Association (GCSA) Declaration of Covenants and Restrictions and Article 3(b) of the GCSA Articles of Incorporation authorize the Association to fix, levy, collect, and enforce payment by any lawful means all charges and assessments pursuant to the terms of the Declarations; and

**WHEREAS**, from time to time homeowners become delinquent in their payments of these assessments and fail to respond to the demands from the Association to bring their accounts current; and

**WHEREAS**, the Board deems it to be in the best interests of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner; **NOW THEREFORE**,

**BE IT RESOLVED** that by December 1<sup>st</sup> of each year, the General Manager shall notify homeowners in writing: (1) the amount of the Board-approved assessments for the forthcoming calendar year, (2) that these assessments are annual but may be paid in equal monthly installments due in advance on the first of each month, (3) that accounts become "past due" on the 31<sup>st</sup> day of not being paid in full, and (4) that failure to pay these installments in a timely fashion shall result in collection efforts and potential billings for attorney's fees, court fees, an other administrative fees relating to these collection efforts; and

**BE IT FURTHER RESOLVED** that the General Manager or Accounts Receivable Manager shall issue a Past Due Notice to owners of accounts over 30 days due that states: (1) the amount owed, (2) finance charges of .5% per month are chargeable to unpaid balances, (3) if the account becomes more than 60 days past due, the remainder of the year's assessments will be accelerated and due in full at that point; (4) reasonable attorney's fees relating to the collection process are chargeable to the owner's account; and (5) that, except while the Association is processing and responding to written appeals, owners who are past due are prohibited from using the Association amenities and from seeking positions on the Board of Directors or any subordinate board or committee; and

**BE IT FURTHER RESOLVED** that the General Manager or Accounts Receivable Manager shall post a finance charge of one-half of one percent on the outstanding balance of each account that becomes past due and once each month thereafter that an outstanding balance still exists; and

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**(continued)**

**BE IT FURTHER RESOLVED** that once any account is more than 60 days past due, the General Manager or Accounts Receivable Manager shall; (1) add the rest of the calendar year's assessments to the account as due in full immediately as authorized by the Covenants, (2) send the owner a Lien Warning Notice stating: (a) the new current balance, (b) that if the account is not paid in full within 10 days, the Association will file a lien on the property and both a Lien Filing Fee and admin fees will be added to the account, and (c) that once a lien has been filed, the owner will have to pay a Lien Removal Fee to have the lien removed from the Court records once the account balance has been paid in full; and

**BE IT FURTHER RESOLVED** that if no response to the Lien Warning Notice is received within 10 days, the General Manager shall: (1) file a lien on the property, (2) send a Lien Notice letter to the owner, and (3) post the following fees to the owner's account: (a) lien filing fee, (b) lien admin fee, and (c) certified mail fee; and

**BE IT FURTHER RESOLVED** that if no response has been received to the Lien Notice letter within 30 days, the General Manager shall file a Statement of Claim (suit) in Magistrate's Court against the owner of the property and post the following fees to the owner's account: (a) suit filing fee, and (b) suit admin fee; and

**BE IT FURTHER RESOLVED** that up until the time a Magistrate Court Hearing on the case takes place, the General Manager is authorized to negotiate with the owner a reasonable plan to pay off the owner's account under the terms and condition of a Consent Order signed by the Judge, the owner, and the General Manager; and

**BE IT FURTHER RESOLVED** that the General Manager and/or Accounts Receivable Manager shall: (1) attend collections hearings when scheduled in Magistrate Court, and (2) prepare for Court review an account statement that reflects what is currently owed, less the court filing fees, and how much the owner has paid on the account since the suit was filed; and

**BE IT FURTHER RESOLVED** that the General Manager or the Accounts Receivable Manager shall take appropriate action to implement the results of the Court ruling; and

**BE IT FURTHER RESOLVED** that the General Manager file a FiFa with the Court after 30 days of receiving a financial judgment in favor of the Association and post both a FiFa Filing Fee and a FiFa admin fee to the owner's account; and

**BE IT FURTHER RESOLVED** that, when judgments in favor of the Association are rendered, the General Manager or the Accounts Receivable Manager shall: (1) file for or forward interrogatories to the defendant owner after 45 days of receiving no response to the judgment, and (2) post an interrogatory admin fee to the owner's account; and

**BE IT FURTHER RESOLVED** that the General Manager or the Accounts Receivable Manager shall post a Garnishment Fee and a Garnishment Admin Fee to an owner's account once garnishment action has been initiated; and

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**(continued)**

**BE IT FURTHER RESOLVED** that the General Manager shall request the assistance of Counsel when needed to file and process garnishment actions, attend hearings, or deal with matters relating to bankruptcy actions or foreclosures; and

**BE IT FURTHER RESOLVED** that upon notification of a bankruptcy, the General Manager and the Accounts Receivable Manager shall: (1) immediately suspend collection actions; (2) notify the Association's attorney; (3) establish a new "post-petition" account to post assessments and fees occurring subsequent to the bankruptcy filing; and

**BE IT FURTHER RESOLVED** that court/filing fees and admin fees discussed above shall be set along with the annual GCSA budgets, but the court/filing fees may be amended during the year by the Court; and

**BE IT FURTHER RESOLVED** that, when requested and authorized by the Court, attorney's fees relating to reasonable collection activities are chargeable to the relevant owner's account; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to all homeowners at their last known address.

This resolution was adopted by the Board of Directors on July 10, 2012, and shall be effective on September 1, 2012.

Book of Minutes, August 2012

**ATTEST:**

8/14/2012      [Signature]  
Date                      President

8-14-2012      [Signature]  
Date                      Secretary

Corporate Seal

