



h

RESOLUTION OF THE BOARD OF DIRECTORS
of
UNION CREEK HOMEOWNERS ASSOCIATION, INC.
regarding
ADOPTION OF DELINQUENT ACCOUNT
COLLECTION PROCEDURE

WHEREAS, Section 1 of Article IV of the Bylaws of Union Creek Homeowners Association, Inc. (the "Association") grants the Board of Directors the authority to create and adopt rules and regulations regarding certain actions and activities of the Association and its members;

WHEREAS, pursuant to Section 209.0064 and 209.008 of the Texas Property Code, the Board of Directors of the Association desires to set forth guidelines regarding procedures for the collection of delinquent assessment accounts;

NOW THEREFORE, BE IT RESOLVED, that the Association's guidelines regarding the procedure for the collection of accounts for Association members who are delinquent in the payment of regular or special assessments or any other amount owed to the Association, shall be as follows:

(1) Accounts with a balance over \$100.00 shall be sent a letter by the Association, which will include the quarterly statement from the accounting service, 45 days following the first day of each new quarter. The letter shall include a statement to the homeowner advising of the consequences of continued delinquency as set forth in the Declaration of Covenants and Restrictions, the Bylaws, or any recorded policy or resolution adopted by the Board of Directors.

(2) Accounts with a balance over \$200.00 shall be sent, by certified mail, a 30-day notice of delinquency by the Association, advising the homeowner of payment plan alternatives and stating that the account will be turned over to an attorney for commencement of collection procedures if not paid. The letter shall also advise the homeowner of his/her responsibility for reasonable attorney fees and other costs associated with the collection efforts.

If payment is not received by the 30th day, the attorney for the Association shall send a 30-day demand letter and state that a lien will be placed on the homeowner's property if payment is not received timely. Subsequent to the expiration of this 30-day demand letter, if the account remains unpaid, the attorney will file a lien for delinquent assessments on the homeowner's property unless the homeowner has disputed the debt. In such cases, a lien will be filed on the property after the Association has provided the homeowner with verification of the debt.

(3) Accounts with a balance over \$400.00 shall be turned over to the attorney for commencement of a small claims suit against the homeowner. Subsequent to any judgment in favor of the Association, the Association may pursue post-judgment collection and /or pursue any other remedies available to the Association under the Declaration of Covenants and Restrictions and by law, including but not limited to foreclosure of the assessment lien.

To the extent these restrictions and guidelines contradict any previous rules, guidelines, restrictions or covenants, these restrictions and guidelines shall control. These restrictions and guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules and guidelines in effect for the Association.

This resolution was passed by the Board of Directors of Onion Creek Homeowners Association, Inc. on the 16th day of January, 2014.