

**MURPHY'S LANDING HOMEOWNERS ASSOCIATION, INC.
DELINQUENCY POLICY RESOLUTION**

WHEREAS, the Murphy's Landing Homeowners Association, Inc. ("Association") is responsible for the maintenance, improvement, repair, and operation of the residential community in Marion County, Indiana known as Murphy's Landing, including, but not limited to, the payment of insurance thereon, the cost of labor, equipment, material furnished with respect to the common areas; and

WHEREAS, by purchasing a home within the community, each owner covenanted and agreed to pay assessments to the Association for their pro rata share of the Association's common expenses; and

WHEREAS, there is a need to establish orderly procedures for the collection of assessments which remain unpaid past their due date since delinquent assessments pose a serious financial and administrative burden on the Association.

NOW, THEREFORE, BE IT RESOLVED that the duly elected Directors of the Association have adopted the following procedures, rules and regulations for the collection of assessments:

1. Assessments are due and payable in advance for each fiscal year annually, with the due date being the 1st day of January. Collections shall be handled by the Association's property management company.
2. To be deemed timely, payments must be received (not just postmarked) by the due date at the office or P.O. Box of the Association's property management company.
3. A "Reminder Notice" shall be mailed to owners who have not paid on or after the 10th day after the applicable due date.
4. Any payment or installment not received within 30 days after the applicable due date shall result in a late charge of \$25 being added to the delinquent owner's account for which the owner is responsible, which shall be deemed a part of the indebtedness to the Association.
5. An "Overdue Notice" shall be mailed to owners with a delinquent balance on or shortly after such 30 days which shall include the late charge of \$25, giving the owner 15 days to pay the delinquent assessment and the late charge. An additional \$15 fee will accrue for each 30 day period after the "Overdue Notice has been mailed an un-paid balance exists.
6. A "Final Notice" shall be mailed by first class mail on or shortly after 14 days of the date of the "Overdue Notice." This Final Notice shall advise the owner that unless payment in full is received within 10 days of such notice, the matter may be referred to the Association's attorney at which time the owner will be responsible for all attorneys fees, expenses, and court costs. All of the Association's collection costs and expenses incurred, including a collection cost/administration fee to its property management company, which is presently \$75, will be added to the account and shall be deemed to be a part of the indebtedness owed to the Association. The property manager's collection cost is to pay for the manager's additional time and expenses related to handling the delinquent account and dealing with the Association's attorney.
7. If an owner is still delinquent 10 days after the date of the Final Notice, the matter may be turned over to the Association's attorney with instructions to pursue the collection thereof in the manner recommended by the Association's attorney. Thereafter, all communications by the delinquent owner must be directed to the attorney.
8. Any payments received at any time for less than the full amount then due shall not be accepted as full payment.
9. Payments received will be applied in the following order: (1) attorneys fees, court costs and expenses incurred by the Association, (2) collection costs of the Association's property management company, (3) late charges, (4) charges incurred by the Association for "bounced" or "stopped payment" checks, then (5) outstanding assessments.

Approved by Board vote 8/18/2016-dt