

**SIERRA CREST HOMEOWNERS ASSOCIATION  
Alternative Payment Schedule Guidelines**

These Guidelines apply to the collection of delinquent assessments and outstanding obligations owed to Sierra Crest Homeowners Association.

**1. Purpose.**

The purpose of this Policy is to comply with the minimum requirements of Property Code Sec. 209.0062, which requires property owners association composed of more than 14 lots to adopt reasonable guidelines for establishing an alternative payment schedule by which a delinquent owner may make partial payments to the property owners association to satisfy the amounts due for delinquent regular or special assessments or any other amount owed to the association.

**2. Effective Date and Applicability.**

The Board of Directors adopts these Guidelines on the date executed. They are applicable to the collection of all delinquent assessments or other funds owed to the Association as of that date.

**3. Construction.**

This Policy may not be construed to prevent the Board of Directors from adopting, amending and restating, from time to time one or more additional administrative policies pertaining to the collection of delinquent assessments.

**4. Payment Plan.**

Prior to taking legal action by way of judicial foreclosure for the collection of delinquent assessments or other debts owed to the Association, the Board of Directors shall provide a delinquent owner the opportunity to cure arrearages pursuant to an alternative payment schedule agreed upon by the Board and the delinquent member.

**5. Notice of Arrearages.**

Notice of any outstanding arrearages or other obligations shall be provided to the owner by both certified and regular mail at the owner's last known address. The owner may respond in writing or email with a proposal for payment of the amounts owed. Alternatively, upon request, the owner shall be provided the opportunity to appear before

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the Board at a regularly scheduled Board meeting or any other mutually agreed upon time to request an alternative payment schedule for the payment of all outstanding arrearages. Upon such request the Board of Directors, in executive session, or a committee formed for that purpose, along with the member will develop a mutually agreed upon alternative payment plan for the payment of arrearages.

### **6. Delinquent Member's Obligations.**

Delinquent members shall respond to the Board within thirty days from the date of the Notice of arrearages in order to be entitled to request and participate in an alternative payment plan. The Board, in its discretion, may require delinquent members seeking an alternative payment plan to submit a sworn financial statement and copies of tax returns for the previous two years.

### **7. Terms of Alternative Payment Plans.**

The minimum term for a payment plan is not less than three months and no more than eighteen months. Owners will not accrue additional monetary penalties during the term of the payment plan except that reasonable costs associated with administering the payment plan and interest may be assessed. The obligation to pay current assessments and other obligations will be ongoing and must at all times be kept current.

### **8. Breach of Payment Plan.**

A failure on the part of the owner to abide by the terms of the payment plan will result in the Association's collection of arrearages and attorney's fees by judicial foreclosure or other legal remedy. The Association is not required to enter into a subsequent payment plan with an owner who fails to honor the terms of a previous payment plan.

### **9. Public Recording.**

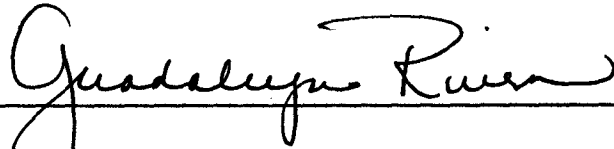
This Policy will be recorded in the real property records of El Paso County pursuant to the requirements of Texas Property Code 202.0062. All amendments, restatements, and supplements to this Policy must also be recorded in the property records of El Paso County unless and until the law otherwise provides.

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By signing below, the undersigned certifies that the Board of Directors of Sierra Crest Homeowners Association adopted this policy and instructed its execution and recording on behalf of the Association.

SIGNED on the 6<sup>th</sup> day of September, 2012.

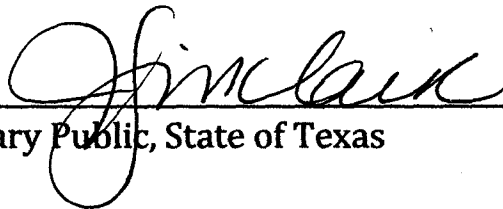
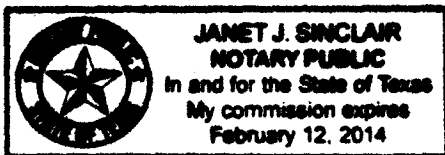
SIERRA CREST HOMEOWNERS ASSOCIATION



Guadalupe Rivera, President

State of Texas  
County of El Paso

Guadalupe Rivera as President and on behalf of the Sierra Crest Homeowners Association acknowledged this instrument before me on the 6<sup>th</sup> day of September 2012.



Notary Public, State of Texas

Doc# 20120066643  
#Pages 3 #NFPages 1  
9/6/2012 3:15:26 PM  
Filed & Recorded in  
Official Records of  
El Paso County  
Delia Briones  
County Clerk  
Fees \$24.00

Y A

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



*Delia Briones*

EL PASO COUNTY, TEXAS

