



THE HAMLETS OWNERS ASSOCIATION, INC. COLLECTION POLICY

1. Owners, who have not paid their HOA dues assessment by the 15th of each quarter after the two weeks grace period when the amount becomes due, shall be deemed late on their dues.
2. Late fee charges of \$25.00 will be applied to all outstanding assessments on an every two week basis for the length of the balance. Refer to the HOA By-Laws (6.1 of Section 6).
3. After the required 45 days written letter notice, owners who are still delinquent after 60 days will be issued a notice of intent to lien (demand letter) at a cost of \$75.00 plus cost for certified postage which will be billed back to owner.
4. Upon expiration of the intent to lien demand letter, the account is turned over to the Association attorney for collection.
5. Attorney will file a lien on the account on behalf of the Association. The Association attorney may begin the lien foreclosure process at the expiration of the statutory period.
6. Payment plans: May not be for more than 3 months and must include ongoing assessments into their payment schedule. Late fees and interest continue accruing during a payment plan period. Payment plan payment terms must be in writing and will include issuing payment at the beginning of the month.
7. Please note that all payments received from the homeowner apply to their balance in this order per Florida Statute: Legal Fees, Administrative Fees, Late Fees, Interest and the Principle Balance.

THE HAMLETS OWNERS ASSOCIATION, INC. COLLECTION POLICY

(Revised on September 15, 2024 by HOA Board of Directors)

2010 FLORIDA STATUTES
SECTION 305

720.305

Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.

1. Each member and the member's tenants, guests, and invitees, and each association, are governed by, and must comply with, this chapter, the governing documents of the community, and the rules of the association. Actions at law or in equity, or both, to redress alleged failure or refusal to comply with these provisions may be brought by the association or by any member against:
 - a. The association ;
 - b. A member ;
 - c. Any director or officer of an association who willfully and knowingly fails to comply with these provisions ; and
 - d. Any tenants, guests, or invitees occupying a parcel or using the common areas.

The prevailing party in any such litigation is entitled to recover reasonable attorney's fees and costs.

A member prevailing in an action between the association and the member under this section, in addition to recovering his or her reasonable attorney's fees, may recover additional amounts as determined by the court to be necessary to reimburse the member for his or her share of assessments levied by the association to fund its expenses of the litigation. This relief does not exclude other remedies provided by law. This section does not deprive any person of any other available right or remedy.

2. If a member is delinquent for more than 90 days in paying a monetary obligation due the association, an association may suspend, until such monetary obligation is paid, the rights of a member or a member's tenants, guests, or invitees, or both, to use common areas and facilities and may levy reasonable fines of up to \$100 per violation, against any member or any tenant, guest, or invitee. A fine may be levied for each day of a continuing violation, with a single notice and opportunity for hearing, except that a fine may not exceed \$1,000 in the aggregate unless otherwise provided in the governing documents. A fine of less than \$1,000 may not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to collect its reasonable attorney's fees and costs from the nonprevailing party as determined by the court. The provisions regarding the suspension-of-use rights do not apply to the portion of common areas that must be used to provide access to the parcel or utility services provided to the parcel.
 - a. A fine or suspension may not be imposed without at least 14 days' notice to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed. If the association imposes a fine or suspension, the association must provide written notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any tenant, licensee, or invitee of the parcel owner.
 - b. Suspension of common-area-use rights do not impair the right of an owner or tenant of a parcel to have vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.
3. If the governing documents so provide, an association may suspend the voting rights of a member for the nonpayment of regular annual assessments that are delinquent in excess of 90 days.



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2010 Florida Statutes

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REAL AND PERSONAL PROPERTY

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History.—s. 37, ch. 92-49; s. 55, ch. 95-274; s. 2, ch. 97-311; s. 51, ch. 2000-258; s. 20, ch. 2004-345; s. 17, ch. 2004-353; s. 12, ch. 2007-173; s. 8, ch. 2008-202; s. 24, ch. 2010-174.

Note.—Former s. 617.305.

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