



Canyon Park Property Owners Association  
PO Box 1735  
Onalaska, TX 77360  
(936) 646-4445  
Canyonparkpoa2020@gmail.com

## Canyon Park Property Owners Association Assessment Collection Policy

The Canyon Park Property Owners Association (CPPOA) provides essential services to the Canyon Park community. In order to pay for these services, the CPPOA is authorized by its deed restrictions to levy "assessments", also referred to as maintenance fees, against the lot owners in the subdivision. The CPPOA deed restrictions place each lot in the subdivision under a contractual lien, generally referred to as an "Assessment Lien", to secure payment.

The obligation to pay all assessments against a lot is the obligation of each lot owner.

The assessment for maintenance fees will be due by January 31st of the current year. Yearly payments are encouraged. For monthly payments to be considered, the current property owner must pay at least (eight) \$8.00 per month starting in January of the current year. If payments are not made by January 31<sup>st</sup>, the account will be considered delinquent and a (five) \$5.00 per lot per month late fee will be added to the account for every month of nonpayment, these fees accumulate until the account is brought current.

The following steps shall be taken to secure payment of all assessments due.

All mailings are subject to administrative fees in accordance with the instrument CPPOA 'Administrative Fee Assessments' filed in Polk County, Texas. Regardless, if the letter is acknowledged or refused CPPOA can continue collection efforts.

1. An invoice showing amounts due for the calendar year shall be sent by January 1<sup>st</sup> of each year.
2. If a payment is not received by June 30<sup>th</sup> of the same calendar year, a past due 'FIRST DEMAND NOTICE OF DELINQUENCY' shall be mailed to the address or emailed to the email on file with all past due amounts listed. Also enclosed or attached will be an alternative payment plan, if the account is eligible for such in accordance with "Canyon Park Property Owners Association Guidelines for an Alternative Payment Schedule. If the property owner is ineligible, it shall be noted, and no Schedule will be included. This reminder invoice will be the 'First Demand Notice of Lien' and must be noted as such on the letter. Payment is due immediately. Late fees will continue to accrue for non-payment and are also subject to administrative fees in accordance with the instrument "Administrative Fee Assessments' filed in Polk County, Texas.
3. If a payment is not made within 30 days of the First Demand Notice of Delinquency, the a 'SECOND DEMAND and FINAL NOTICE OF DELINQUENCY', including a statement with past due amount and intent to file lien, will be mailed by certified mail return receipt requested to the address on file. Payment is due upon receipt. Late fees can continue to accrue for nonpayment and can be subject to administrative fees in accordance with the instrument "Administrative Fee Assessments' filed in Polk County, Texas.
4. If full payment is not made within 90 days of the 'SECOND DEMAND and FINAL NOTICE OF DELINQUENCY' the CPPOA may file a lien or notice of lien against the property owner.
  - a. Partial payments at any point do not reset the clock for lien processing.



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- b. Payment plans do not reset the clock for lien processing if a payment is missed during the payment plan term.
- c. CPPOA will record a 'NOTICE OF ASSESSMENT LIEN' in the Official Public Records of Polk County to put third parties on notice that there are unpaid assessments currently outstanding with respect to a particular lot or lots that are secured by and Assessment Lien.
- d. CPPOA also has the option to turn the account over to legal counsel for a 'judicial lawsuit' and obtain a judgement against the property owner for all assessments owed, as well as legal fees incurred. Judicial lawsuits can be the basis for expedited foreclosure.

CPPOA Representative Signature \_\_\_\_\_ Date: \_\_\_\_\_

Robert Simard President

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Notary Name: \_\_\_\_\_ Seal/Stamp:

Notary Signature: \_\_\_\_\_