

Clairborne Maintenance Corporation
P.O. Box 549 Bear, DE 19701
Self-Management Committee

ASSESSMENT COLLECTIONS AND LIEN POLICY and PROCEDURES

Proposed: 4/13/2021

Approved: 4/13/2021

1. Policy

- a. Authority for this policy and these procedures is based on the Maintenance Agreement in Article 1 Clairborne at Lexington Farms, sections (a), (b), (c), (d), (e), (f), and (g), By-Laws of Lexington Farms Maintenance Corporation, sections (4), (5), (6)
- b. The Self-Management Committee is responsible for carrying out these procedures.
- c. Annual payments of the annual assessments are due September 1st, with a 15 day grace period. Delinquent assessment shall include a thirty dollar (\$30.00) delinquency charge and the new total shall bear interest from the date of the delinquency at the rate of ten per centum (10%) per annum. Assessments 60 days in arrears shall include a forty-dollar (\$40.00) charge to send a demand letter of payment and a Pre-Lien notice by pre-paid certified mail.
- d. Total collections of all fees and other recording filling charges should be included in the homeowner's record. All recording and filling fees will be the responsibility of the homeowner and must be paid along with the homeowner assessments and late penalties.

2. Procedures

- a. Step #1
 1. An invoice dated September 30th will be mailed to the homeowner noting the current unpaid assessments and the late fees and interest.
- b. Step #2
 1. A notice will be sent October 30th by pre-paid certified mail that includes the forty-dollar (\$40.00) demand fee plus all delinquent assessments.
 2. This notice will also include a statement that if payment is not made by, November 30th, documentation will be prepared and filed with the Recorder of Deeds, New Castle County, DE, and with the Delaware Court systems for collections.

- c. Step #3
 - 1. The Notice and Statement of Lien for Unpaid Assessments will be prepared by the Board of Directors and or their Agent or Attorney and submitted to the Recorder of Deeds, New Castle County, DE.
 - 2. This notice will remain on file at the Recorder of Deeds until lien is satisfied. Once satisfied, the Satisfaction of Lien for Unpaid Assessments will be filed with the Recorder of Deeds New Castle County, DE and the outstanding charge will be considered to be paid in full and no longer due.
- d. Step #4
 - 1. A Civil Action case for collections will be filed by Clairborne's Board of Directors, certified Agent and or Attorney with the Delaware Court system. The Homeowner will be fully responsible for all charges and fees associated with the Judgement.
 - 2. All appropriate actions will be taken to enforce collections.
- e.
 - 1. The Board of Directors may reduce late fee penalties due to financial hardship in writing by the homeowner.