

**THE OCHO CASCADAS ASSOCIATION
DUES COLLECTION POLICY AND
PROCEDURES**

BY DIRECTION OF THE OCHO CASCADAS BOARD OF DIRECTORS, THE FOLLOWING ASSOCIATION DUES COLLECTION POLICY AND PROCEDURES WAS ADOPTED AND SHALL BE IMPLEMENTED BY TRADING PLACES INTERNATIONAL (TPI) ON BEHALF OF THE ASSOCIATION.

ARTICLE VI, SECTION 6.1, OF THE OCHO CASCADAS ASSOCIATION'S COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&R'S), STATES: "EACH MEMBER WHO BECOMES DELINQUENT IN THE PAYMENT OF ANY AMOUNT DUE THE ASSOCIATION SHALL PAY TO THE ASSOCIATION A LATE CHARGE OF TWENTY-FIVE PERCENT (25%) OF EACH PAYMENT WHICH IS DELINQUENT. ALL ENFORCEMENT POWERS OF THE ASSOCIATION SHALL BE CUMULATIVE."

BILLING/DUE DATE:

- a. **SEPTEMBER:** Maintenance fees are billed annually in September for the next calendar year and are due on or before **October 1** each year.
- b. Extraordinary fees (personal charges and special assessments, etc.) are due upon receipt of an invoice, and delinquent if not paid within thirty (30) days of the billing date.
- c. In the first year of your ownership, unless your contract specifies otherwise, your first maintenance fee billing will be mailed within thirty (30) days after management is notified of your purchase. Payment is due upon receipt and delinquent if not paid within thirty (30) days of the billing date. Future assessments and collections will be pursuant to paragraph "a."

DELINQUENCY:

After **October 10**, or ten (10) days after the payment due date, delinquent accounts will be assessed a late fee of twenty-five (25%) percent and 21% interest per annum (1.75%) per month will be added to your account. A statement shall be sent showing the late fee assessment and current account balance. All voting and membership use rights are suspended.

After **November 1**, or thirty (30) days after the payment due date, a legal *Notice of Default* is mailed and a collection fee of one hundred eighty-five (\$185) dollars will be added to the delinquent account, and must be paid along with any other delinquent amount, for the account to be brought current.

After **December 1**, or sixty (60) days after the payment due date, a *Final Notice of Default and Demand for Payment* is mailed to the owner.

After **December 15**, or seventy-five (75) days after the payment due date, **the membership is terminated**. The Association will become the owner of the membership, and can elect to either sell the membership or return it to the developer.

NOTE: AT THE TIME OF CHECK-IN, OR BEFORE SUBMITTING YOUR WEEK FOR EXCHANGE PURPOSES OR DEPOSITING YOUR WEEK IN THE RENTAL PROGRAM, THE ENTIRE YEAR'S ASSESSMENTS FOR THE YEAR IN WHICH YOU ARE RESERVING MUST BE PAID IN FULL, REGARDLESS OF YOUR USE DATE. If your account becomes delinquent, your use privileges and your right to vote in any association election may be suspended, and any reservations in your name – whether confirmed or not – will be canceled. Your use privileges and your right to vote will be restored upon payment in full of your account balance. Reinstatement of rights does not guarantee that the use of your week will be reinstated.

With respect to delinquent accounts, The Ocho Cascadas Association board of directors may, at its discretion, implement any of the following actions:

- a. Engage professional collection agencies to collect payment.
- b. Institute a Small Claims suit or other legal action.

Any related costs for these actions will be added to the delinquent owner's account.

This statement is provided as a courtesy to assist you in making your yearly maintenance fee payment. Non-receipt of a statement does not relieve you of your financial obligation.

Payment Plans: For formal payment plan options, please contact TPI. Applicable administrative fees of forty-five dollars (\$45.00) per contract will be assessed. **Please note:** If you have not set up a formal payment plan, partial payments will be accepted; however, any remaining balances will continue to be processed in accordance with this ABC policy.

NOTE: A \$25.00 charge will be added to your account for any payment that is not honored (i.e. bad check, insufficient funds, etc.). If for any reason the first payment is not honored, the subsequent payment, including applicable late fees, must be made using **secured** funds (i.e. cash, money order, or cashier's check).