

**COLLECTIONS PROTOCOL
FOR EAGLE LAKE HOMEOWNERS ASSOCIATION, INC.
EFFECTIVE June 1, 2017**

1. Billing of Assessments – Owners are mailed a payment book containing monthly coupons at least fifteen (15) days prior to the new fiscal year. Assessments are due on the first day of each month and considered late on the second day of each month. Interest accrues starting on the second (2nd) day of the month and shall continue to accrue until paid in full.
2. Late Fee - If payment is not received by the fifteenth (15th) day of the month, a late fee of \$25 shall be automatically applied to the property. An additional late fee of \$25 shall be automatically applied to the property on the fifteenth (15th) of each successive month that the account remains delinquent, i.e. one (1) \$25 late fee per property per month.
3. Warning Letter – One (1) warning letter shall be sent to each delinquent owner on the sixteenth (16th) day past due. This letter shall be sent regular mail to the property address and to the parcel owner(s) record address should any owner have registered a notice address that is different than the property address as reflected in the official records of the Association. It is the parcel owner(s) sole responsibility to keep an updated notice address on file if they wish to receive notice at any address in addition to the parcel address. The warning letter shall contain a warning that if the account is not brought current in all regards by the forty-fifth (45th) past due, the account will be turned over to the Association attorney for formal collection, the account will be accelerated, and the parcel owner shall be liable to the association for attorney's fees and costs of collection.
4. Referral to Attorney - If payment in full is not received by the forty-fifth (45th) day past due, the account will be referred to the Association attorney for formal collections. The management company shall forward a copy of the account ledger and warning letter to the attorney on the 46th day past due. The account shall be flagged as "attorney status". All owner contacts shall be referred to the attorney and neither the Board of Directors, nor the Management Company, shall discuss the account with the parcel owner(s) while the account is flagged. Any payment received by the management company while the account is flagged shall be copied to the attorney for review before it is applied to the account to ensure no attempts to create an accord and satisfaction is attempted by the delinquent owner.
5. Formal Demand Package/Notice of Intent to Lien - The attorney will assemble and send the statutorily required demand package to the parcel owner(s) at the property address and notice address by regular and certified mail not later than fifty (50) days past due. The demand package will include all past due amounts, all late fees, all interest to date, all attorney's fees, all assessments that will become due in the next 45 days, (i.e. the due date under the demand letter), and accelerated assessments for the remainder of the fiscal year per Section 6.7 of the

Declarations. The package will also include a consolidated statement of payments and charges inclusive of all amount contained in the Association records and all charges from the attorney.

6. Second Statutory Demand Letter/Notice of Intent to Foreclose – Should payment in full not be received by the forty-fifth (45th) day after the first Formal Demand Package, the attorney will assemble and send the Second Demand Package required by statute in the same manner as the first. The Claim of Lien and consolidated statement will be updated. The Claim of lien will be sent to the Association to be executed, returned and recorded in the Public Records. The Second Demand Package will include a notice to the parcel owners to submit any hardship letter they may wish to be considered. It will also include an updated consolidated statement of payments and charges.
7. The Association is under no obligation to accommodate any such hardship letter but each shall be considered on a case by case basis and shall have no precedential value. The Board of Directors shall exercise their business judgment in evaluating any such request and in consideration of any proposed settlement offer.
8. Foreclosure Action - Should payment in full and in all regards not be received by the forty-fifth (45th) day after the Second Statutory Demand/Notice of Intent to Foreclose, the attorney shall automatically file a lawsuit, 1) to foreclose the lien against the property and 2) for money damages.
9. All payments shall be applied in the order mandated by Fla. Stat. 720.3085 (3)(b), i.e. to late fees and interest first, to attorney’s fees and costs second, and any remaining portions to assessments.
10. The Schedule of the actions required by the Protocol is set forth below. This protocol shall be uniformly applied to all owner accounts.

<u>Day</u>	<u>Action</u>
1	Due Date
2	Account considered delinquent. Interest accrues.
15	\$25 Late fee
16	Warning letter (Mgmt. Company)
45	Deadline for receipt of late payments-Account flagged as “attorney status”
46	Account referred to attorney, account accelerated, owner liable for attorneys fee
<50	Not later than day 40-1 st 45 day demand package per Fla. Stat. 720.3085 (Attorney)
<95	Lien recorded-2 nd 45 day demand package per Fla. Stat. 720.3085 (Attorney)
<141	Suit filed to foreclose lien and for money damages (Attorney)