

Assessment Arrears
Policy and Procedure

Policy

BSWCIA recognizes that, for a variety of justifiable reasons (including loss of employment or medical emergencies), an owner, or owners, may not be able to satisfy their annual maintenance assessment by the March 1 published due date established by the BSWCIA Board of Directors.

When a justifiable reason for delay arises, and the owner(s) has/have, in writing, informed the Association, the owner(s) will be offered a payment plan option. In consideration of the resulting additional administrative costs, an administrative fee will be assessed.

Procedure

1. If the Association has not received the annual assessment by March 1, the Association Manager, or Board member if the position is vacant, will cause a second billing statement to be sent to the owner(s), with interest applied, on or about April 1.
2. If the second billing statement does not result in a response or payment by April 30, a formal demand letter, in accordance with the Texas Property Code, with interest applied will be sent to the owner(s) in early May.
3. If the previous statements have not resulted in response or payment, a Certified Letter demanding payment, with interest and Letter fee applied, will be sent to the owner(s) on or about June 1.
4. If the preceding attempts to resolve the delinquent account have been unsuccessful, the account will be referred to the BSWCIA attorney for collection action in early July.
5. Providing the owner(s) respond to the initial or subsequent payment demands, and requests payment plan consideration for a justifiable reason, the owner(s) will be offered the following payment plan:

Plan Option The annual assessment to be paid in six (6) or less equal, monthly installments (annual assessment or balance if partial payment received) **PLUS** a twenty-five dollar (\$25.00) administrative fee. No additional interest will be assessed providing installments are received each month and not later than the 10th day of the month.

6. Duplicate letters offering the payment plan will include a statement that the administrative fee is in consideration of the payment plan, and request that the owner(s) sign and return one copy along with the first installment and the twenty-five dollar administrative fee.
7. In the event of payment plan default, considered to be in default if the monthly installment has not been received by the twenty-fifth (25th) of the month in which due, the Association attorney will be notified and requested to pursue collection action, including attorney fees and interest accrued from the original annual maintenance assessment due date for that year.

8. Depending upon the owner(s) response, or lack thereof, further legal action may commence, including liens, foreclosure, etc. as recommended by the Association attorney with Board of Director concurrence (for other than instituting liens).