

RESOLUTION NUMBER 30 - 21  
COLLECTION POLICY

WHEREAS, Section 9 of the Poinciana Subdivision Declarations and Article VIII of each Village Association's Articles of Incorporation establish assessments, provide that all Owners have agreed to pay assessments, and state that APV may collect assessments and service fees; and

WHEREAS, APV relies on the collection of assessments from homeowners to provide services and facilities to the Poinciana community including: cable-television service, parks, recreation facilities such as pools, gyms and sports courts, as well as drainage and mowing; and

WHEREAS, while APV is committed to using reasonable efforts to collect assessments when they become due, including notices and reminders, as well as helping homeowners in need through payment plans, some homeowners still fail or refuse to pay their assessments; and

WHEREAS, those homeowners who fail or refuse to pay their assessments place a burden on APV and their fellow homeowners.

NOW, THEREFORE, it is hereby resolved by the Board of Directors as follows:

- 1) The preceding recitals are true and correct and are incorporated herein.
- 2) Beginning November 1, 2021, APV establishes and adopts this updated Collection Policy replacing all previous collection policies in their entirety.
- 3) Homeowners shall pay their assessments in monthly installments. The monthly assessment installments shall be due and payable on the first day of each month. Owners may pay assessments in advance, but it is the owner's responsibility to monitor the advance payments. APV is not obligated to notify the owner when advanced payments no longer cover assessments.
- 4) Payments made after the 15<sup>th</sup> of each month shall be deemed past due and Owners who fail to pay their monthly assessment installments in full by the 15<sup>th</sup> of each month shall be considered delinquent and charged a late fee of \$25. A late fee of \$25 will continue to accrue in each successive month of delinquency.
- 5) Once an Owner is delinquent, APV will send the Owner a notice of late assessment providing 30 days to pay the delinquency. The notice of late assessment must be sent via first-class United States mail, to the property address and to the most-recent alternate mailing address (if any) in the Association's records and otherwise comply with Section 720.3085(3)(d), Florida Statutes. APV may, but is not obligated to, provide other late notices in subsequent months of an ongoing delinquency.



6) If an Owner fails to pay their full delinquency after the 30-day notice of late assessment expires, APV may transfer or assign the Owner's delinquent account to an attorney or collection agency without additional notice.

7) Owners are responsible for all costs of collection including: fees for a collection agency, attorney's fees and paralegal fees, as provided for in Section 6 of the Poinciana Subdivision Declarations and Article VIII of each Village Association Articles of Incorporation.

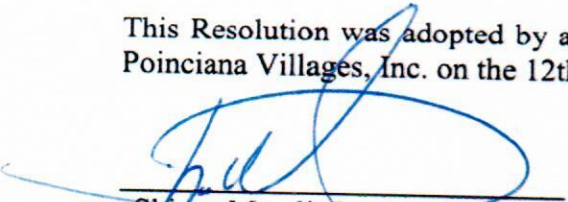
8) Owners are deemed delinquent until their account is paid in full. Partial payment of a delinquency will be applied pursuant to Section 720.3085, Florida Statutes and will not stop collection actions, including transfer of the Owners' delinquent account to an attorney or outside collection agency.

9) APV may allow delinquent Owners to enter into a payment plan to repay any delinquency, provided the Owners contact APV before their account is turned over to an attorney or collection agency. Owners who participate in an APV approved payment plan will not be transferred to an attorney or outside collection agency so long as the Owner remains current on all installment payments in the plan.

10) When title to a lot transfers, the new Owner of the lot must prepay to APV, at closing of the sale, the assessments that will accrue through the remainder of the calendar year.

11) APV directs its management company and its staff to pursue collection of delinquent assessments from delinquent Owners under the terms of this Collection Policy without further direction from the Board of Directors.

This Resolution was adopted by a vote by the Board of Directors of the Association of Poinciana Villages, Inc. on the 12th day of October, 2021.

  
Shirene Merali, President



dotloop verified  
10/15/21 3:13 PM EDT  
DDSP-YITY-TPEP-POMO

Edward Drexel, Secretary/Treasurer