

ASPEN VILLAGE COMMUNITY CORPORATION

Policies and Procedures

Section 11 of the By-Laws of Aspen Village Community Corporation creates a Board of Directors to operate the corporation. That Board of Directors has implemented the following policies and procedures to enforce the provisions of the by-laws and the five (5) covenants governing Aspen Village.

The following policies and procedures are provided to facilitate the management of the Aspen Village Community Corporation.

1. Dues Invoicing and Collection
2. Restriction Enforcement

1. **Dues Invoicing and Collections.**

1.1. The by-laws state: Aspen Village Community Corporation Board of Directors is charged with the duty of collecting the Annual Association Dues. Also stated are the provisions in which the dues can be collected, including a late fee of 8% annual interest. All fees incident in the collection process, including legal fees are the responsibility of the property owner.

1.2.1 **Procedure.** The procedure for the invoicing and orderly collection of unpaid dues is as follows:

1.2.1.2 Annual Association dues are due July 1st. Any Association Dues not received by July 31st shall be termed delinquent. An administrative fee of eight percent (8%) will be assessed, added to the account, and an updated statement mailed August 1st.

1.2.1.3 If the account remains unpaid September 1st, a formal notice of intent to file a property lien shall be mailed to the owner by Certified or Registered US Mail, Returned Receipt Requested. This notice shall include the amount of the unpaid dues, administrative fees, the cost of the certified or registered mail, and the total amount remaining unpaid.

1.2.1.4 If the Account still remains unpaid on October 1st, the account will be turned over to legal Counsel. The Association is empowered to place a lien on the property for any unpaid dues, interest on the outstanding balance, administrative fees, reasonable attorney's fees and other charges incurred by the association which are incident to the collection of annual association dues or the enforcement of the lien. Said Counsel shall cause a lien(s) to be recorded against the property and shall take other appropriate legal action as directed by the Board of Directors. A lien and legal fee of \$100.00 will be added to the account. Additional fees will be added as required to secure collection of dues.

2. Restrictions Enforcement.

2.1. The restrictions applicable to Aspen Village residents are found in the five (5) covenants for Aspen Village, and their amendments. Copies of the restrictions and amendments are on file with the Allen County Auditors Office and are also available online at www.aspen-village.com.

2.2. Procedure.

2.2.1. When a restrictions violation is noted, the Director responsible for restrictions, or other Director, will make a reasonable attempt to notify the offending member of the violation in person.

2.2.2. The Director will present a letter, in duplicate, quoting:

2.2.2.1. The restriction being violated;

2.2.2.2. Time for corrective action to be completed [may be worked out between the Director and member at this meeting];

2.2.2.3. Consequences of inaction;

2.2.2.4. Contact information for Director responsible for restrictions;

2.2.2.5. Contact information for Board President.

2.2.3. If the member cannot be contacted in person, the letter will be sent Certified US Mail, return receipt requested.

- 2.2.4. The member will be asked to sign the letter acknowledging notification of the violation. The original will be retained by the director and the duplicate retained by the member.
- 2.2.4.1. If the member refuses to sign, the Director will so note on the original letter.
 - 2.2.4.2. If the member refuses to accept delivery of the Certified Letter, the refused letter will be retained unopened by the Board.
- 2.2.5. Regardless of the status of the letter, if the violation has not been corrected by the date specified, or after receipt of the refused letter, whichever comes last, the President shall request that the corporation's attorney draft and mail a letter to the member.
- 2.2.6. Letter from attorney shall be sent via U.S. Certified Mail, Return Receipt Requested, and shall contain:
- 2.2.6.1. Covenant / by-law being violated
 - 2.2.6.2. Dates on which infraction took place
 - 2.2.6.3. Dates of contact / attempted contact by director of Aspen Village
- 2.2.7. If the violation is not corrected within thirty (30) days of receipt or refusal of the letter, a repeat letter shall be sent containing the same information as specified in 2.2.6, only with the addition of the dates of previous letters sent on this violation. This process is to be continued every thirty (30) days until the violation is corrected or the property is sold, at which time any open liens can be collected.
- 2.2.8. All costs incurred in this process are the responsibility of the property owner in violation and shall be invoiced to the property owner. The process for collecting such fees will be as the procedure outlined for dues collection in 1.2.1.
- 2.2.9. In the event a violation is corrected but then repeated in the same fiscal year, the Board of Directors will not attempt to re-contact the owner. The President shall request that the corporation's attorney draft and mail a letter to the member as described in 2.2.6.