

WOODMONT OVERLOOK HOMEOWNERS ASSOCIATION, INC.
ADMINISTRATIVE RESOLUTION NO. 6
COLLECTION POLICY

WHEREAS, pursuant to Article IV, Section 1 of the Declaration of Covenants, Conditions and Restrictions of Woodmont Overlook Homes Association, Inc., recorded in Liber 6342, at Folio 240, among the land records of Montgomery, County, Maryland (the "Declaration"), all unit owners are obligated by to pay all annual and special assessments, and related charges, in a timely manner; and

WHEREAS, the Board of Directors has determined that it is desirable to adopt this Assessment Collection Policy to ensure the prompt payment of delinquent assessments and to establish a uniform collection procedure;

NOW, THEREFORE, the WOHA Board of Directors, at a duly convened meeting of the Board, after notice and an opportunity for owners to comment on the proposed rules, adopts the following Resolution for the collection of assessments:

1. **Notice of Assessment:** Annual assessments for Woodmont Overlook Homes Association, Inc. (WOHA) shall be paid on an annual basis, with the assessment due on the last day of each January. All homeowners will receive a reminder of payment via first class mail at about 30 days prior to the annual due date. Any special assessment shall be due upon resolution of the Board of Directors.

All documents, correspondence and notices relating to the assessments and related changes shall be mailed to the address which appears on the books of the Association. Non-resident unit owners shall furnish the Board of Directors with an address where mail will be promptly received by the Lot owner. Failure of management or the Association to advise a Lot owner of his/her assessments obligation shall in no way relieve the Lot owner of the obligation to pay the amount due by the due date. It is the Lot owner's responsibility to provide updated contact information.

2. **Interest:** If a Lot owner fails to pay any sum assessed against his/her Lot within thirty (30) days after the due date, the assessment shall bear interest from the due date until paid at the rate of eighteen percent (18%) per annum, pursuant to Declaration Article IV, Section 8.

3. **Notice of Delinquency:** If payment of the annual assessment is not received by the end of January, or payment of any special assessment is not made when due, legal counsel for WOHA shall send a Notice of Intent to Create a Lien, which will conform to the requirements of the Maryland Contract Lien Act and other applicable laws.

4. **Notice of Intent to Create a Lien:** This Notice will be sent by certified mail and inform the delinquent homeowner of the outstanding balance due, including the assessment, interest, costs of collection, and reasonable attorney's fees. If the Notice goes unanswered, other measures will be taken to serve the delinquent owner. Once a delinquent homeowner has been served with the Notice of Intent to Create a Lien, the owner must, within 30 days of service of the Notice, forward all payment in full or file a complaint in the Circuit Court for Montgomery County if the owner believes probable cause does not exist for WOHA to file a lien.

5. **Legal Action:** If appropriate actions are not taken within the 30 day period, legal counsel for WOHA will file a lien against the delinquent property. After a lien is recorded, the attorney may be authorized to order a title search of the property and obtain a property value report. Based upon the information from these reports, the attorney will advise the Board regarding further options for foreclosure on the lien, or other collection action. The Board of Directors may direct the attorney to take legal action to foreclose the lien on any unit for which condominium assessments and other charges remain unpaid, after consideration of the following factors:

- a. The amount of the unpaid assessments and other charges;
- b. The duration of the delinquency;
- c. The delinquent unit owner's prior payment history;
- d. The delinquent unit owner's response, if any, to any other action taken by or on behalf of the Association to secure payment of any current or prior delinquency; and
- e. Any other factors concerning the delinquency, the likelihood and expense of obtaining payment by foreclosure or by other means, or the likelihood of non-payment continuing or recurring.

6. If a check is not honored and is returned for insufficient funds, a Thirty-Five Dollar (\$35.00) (or such greater amount charged by the managing agent and/or bank) returned check charge will be added to the account.

7. The Board of Directors may modify or supplement the procedures contained herein, as it determines appropriate under the circumstances

8. In the event that any payments received from a homeowner do not equal the full balance of all assessments and fees owed, the payment received shall be credited to the outstanding balance as follows:

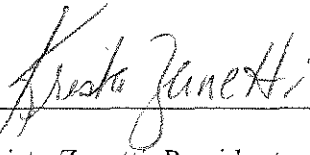
- a. Attorney's fees and other costs related to the collection process
- b. Interest
- c. Annual assessment (oldest first if more than one)

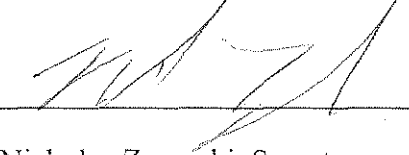
In the event of a partial payment for late or delinquent assessments, WOHA will send a letter to the homeowner notifying them that their account still remains unpaid by the specified outstanding amount. Partial payments do not reset any timetables for fulfillment of obligations, nor does retention of partial payments constitute a waiver of WOHA's authority to proceed with any legal actions to collect the outstanding balance.

A copy of this resolution shall be filed in the Homeowners Association Depository at the Circuit Court for Montgomery County, Maryland.

The undersigned hereby certify that the foregoing Resolution was adopted by, and made a part of the minutes of the meeting of, the Board of Directors of the Association on the 21 day of October, 2013.

Woodmont Overlook Homes Association, Inc.

BY: 
Krista Zanetti, President

ATTEST: 
Nicholas Zagorski, Secretary