

Sawgrass Homeowners' Association Collection Policy

Effective January 1, 2025

The Board of Directors of the Association has the obligation to oversee the collection of all Association regular and special assessments in a timely manner. Based upon the Association's Governing Documents, the Board of Directors has enacted the following policies and procedures concerning the collection of delinquent assessment accounts. ***All collection costs incurred are charged to the account of the delinquent homeowner.***

Regular Assessment Due Date

Regular annual assessments will be applied on December 1 of every year to each owner of a property or properties in Sawgrass Subdivision. The assessment charge shall be payable to Sawgrass Subdivision Homeowners Association on January 1 the following year and will be delinquent when not paid within 30 days after it becomes due.

Funds should be made payable to **Sawgrass HOA** and mailed to **P.O. Box 6663, Champaign, IL 61826-6663**.

Special Assessment Due Date

Special assessments will be due on the date specified by Board of Directors in the notice imposing the special assessment. (Minimum thirty (30) days after special assessment imposed.) Special assessments payable in installments which are delinquent more than thirty (30) days will be accelerated and the entire unpaid balance will be due and payable immediately.

Recorded Owner and Billing Details

It is the homeowner's responsibility to provide written notice of any changes in the billing address, and/or change(s) in the title of the property, to the Homeowner's Association. The Association holds an ongoing lien against the property in accordance with Association Bylaws. Any sale of property within the Subdivision will require a statement on Association letterhead stating that the account is current or the amount that is still due. The title will not be cleared for transfer until the account with the Association is brought current.

Payment Receipts

Owners can request a receipt from the Association which shall indicate the date of payment. Any request for a receipt of payment must be submitted directly to the Association's business address. The HOA has three business days to respond to requests.

Returned Bank Items

All returned bank items will be subject to a \$40.00 Returned Bank Item Fee and any further charges imposed upon the Association due to the returned item. All returned bank items that remain unpaid will be referred to the Champaign County District Attorney's Office.

Interest

Interest shall be imposed on all sums due, including assessments, collections costs, late charges and previous interest impositions at a **monthly rate of 2.0%** which is equivalent to an **Annual Percentage Rate of 24%**.

45 Days Past Due

A reminder notice will be mailed and any relevant fee for processing the reminder will be applied to the account. A late payment fee of **\$30.00** will be assessed on the account when the account becomes forty-five (45) days past due.

90 Days Past Due

A reminder notice will be mailed and any relevant fee for processing the reminder will be applied to the account. An additional late payment fee of **\$60.00** will be assessed on the account when the account becomes ninety (90) days past due.

180 Days Past Due

Prior to the recording of a lien against a delinquent account, homeowners will be sent a "Pre-Lien" Notice. The Pre-Lien Notice will notify the homeowner of the Association's intention to file a lien against the title of the property. The Pre-Lien Notice will include an offer by the Association to engage in informal dispute resolution upon receipt of a written request made by the homeowner within thirty (30) days of the Pre-Lien Notice.

The Pre-Lien Notice will be sent via first class mail and certified mail to all recorded owners itemizing all amounts due, along with a copy of this Association Collection Policy.

A Pre-Lien Notice charge of **\$150.00** will be assessed on the account when the account becomes one hundred eighty (180) days past due.

225 Days Past Due

When the account becomes two hundred twenty-five (225) days past due, the Association may record a lien upon the homeowner's property. Prior to the recording of a lien, the Board of Directors of the Association will approve the recording of the lien in open session at a regular or special board meeting. Upon approval, a lien will be recorded with the County of Champaign Office of the Recorder of Deeds. A lien filing fee of **\$250.00** will be assessed on the account.

The lien will remain in effect until the account has been brought current. The cost to prepare the documents for the removal of the lien is **\$300.00**. The additional cost to record the release shall be the responsibility of the homeowner.

Dispute and/or Payment Plan

You have the right to request a meeting with the Board of Directors, if you dispute the debt set forth in your statement. To do this you must submit to the Board of Directors a written explanation of the reasons for your dispute. The written explanation should be mailed to the business address of the Association. The Board of Directors will respond to you within fifteen (15) days of the postmark of your written explanation.

You also have the right to submit a written request to meet with the Board of Directors to discuss a payment plan for the debt set forth in your statement. The Board of Directors will meet with you in executive (private) session within forty-five (45) days of the postmark of your request, if your request is mailed within fifteen (15) days of the date of the postmark of your Pre-Lien Notice.

Payment Plan Policy

Requests by homeowners for payment plans to cure assessment delinquencies will be considered by the Association on a case-by-case basis. There is no guarantee, either written or implied, that a payment plan will be granted. The Board of Directors of the Association has the sole discretion whether to approve a requested payment plan. The submission of a payment plan request to the Association does not delay collection proceedings, does not constitute a waiver by the Association of any default, and does not relieve the homeowner of the obligation to pay all assessments, late charges, collection costs, and interest when due. The homeowner must submit the request in writing, not later than fifteen (15) days after receipt of a Pre-Lien Notice. The homeowner should describe in the request any circumstances which the homeowner wishes the Association to consider. The homeowner should also attach to the proposed payment plan a check for the amount of the first payment as proposed in the payment plan. If the homeowner wishes to submit a payment plan request after the owner has been contacted by the Association's attorney regarding the delinquent account, the request for a payment plan with all attachments should be remitted by the owner directly to the Association's attorney.