

TOMAHAWK CREEK

Late Dues Policy

1. Monthly payment is due on the 1st; a late fee of \$25 is applied if the payment does not arrive by the 10th. More late fees apply every month there is an outstanding balance. To avoid these fees, and the following steps, contact the HOA and negotiate a plan (see step 6).
2. If the total amount due exceeds one month's dues for more than 60 days, a reminder letter is sent to the owner.
3. If the amount due exceeds one month's dues for more than 90 days, another letter is sent, this time from a lawyer.
4. If the amount due exceeds one month's dues for more than 120 days, the following actions are taken:
 - A lien against the property is filed, so the HOA can collect what is due if the property is sold.
 - A lawsuit authorizing collection is filed; when granted, HOA garnishes owner wages or other income.
 - A title search is conducted, allowing the HOA to file a foreclosure if no other approach succeeds.
5. At any point, the owner may negotiate a payment plan with the HOA. We understand that financial hardship happens; we will work with you to keep you in your unit until your situation improves. However, this does not go on forever.
6. If a payment plan is agreed to and followed, late fees are no longer applied. If a payment is missed while under a payment plan, double the late fee is applied.
7. The payment plan must be renegotiated annually. The HOA reserves the right to ask for proof of income, so we may judge if the amount being paid is reasonable.