

**CYPRESSWOOD COMMUNITY ASSOCIATION**  
**NOTICE OF COLLECTION POLICY**

**NOTICE OF ASSESSMENT:**

The 2010 homeowner's assessment is \$302.50.00 per lot and the 2010 recreation fee is \$182.00. The assessment amount is due on or before January 31, 2010. It is the responsibility of all homeowners to pay assessments on time. Beginning February 1, 2010, if you have not paid your assessment, interest will accrue at a rate of ten percent (10%) per annum will be added to your account monthly. For those who qualify for the Senior Citizen discount of (10%) of or \$18.20 off of the 2010 recreation fee, you must submit payment in full by January 31, 2010 in order to receive the discount. In order to qualify for the Senior Citizen discount, you must be at least 65 years of age and show proof by sending a photo copy of your I.D. along with your payment. You can take the discount amount off the amount you owe. The Association will not issue a check for the discounted amount. It is the responsibility of all homeowners to pay assessments on time.

**INSTALLMENT PAYMENTS:**

Installment/payment plans are available; please call our management company to request a payment plan form. Installment payments are also subject to a \$5.00 per payment administrative processing charge.

**NOTICE OF COLLECTION POLICIES:**

For balances that remain outstanding on or after March 15, 2010, a certified mail demand letter\*\* will be sent to you with an additional \$35.00 collection charge added to your account balance. All accounts that remain delinquent on or after April 15, 2010 will be assigned to the Association's attorney for collection efforts. Once this assignment takes place, all contact regarding your account will be through the attorney. The attorney's fees (which will be substantial) will be added to your account balance. The attorney will send foreclosure demand letters and appropriate notification to the mortgage company. Failing these collection attempts, the attorney will seek to foreclose on the Association's lien through foreclosure lawsuit. Late fee charges of ten percent (10%) per annum are added to delinquent accounts. NSF checks will incur a \$15.00 NSF check charge. Statements are rendered by the Association as a courtesy and may not include all legal fee charges if the account has been turned over to the Association's attorney. The Board of Directors will not adjust account balances, except as required by law, as advised by the Association's attorney. Assessments are mailed to property owners only. Duplicate copies for mortgage companies are available upon request for an additional charge. Address changes will only be recognized if on an official Association change of address form or if provided by a title company pursuant to a real estate closing.

**\*\* THE HOMEOWNER WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE RECEIPT OF THE LETTER IN WHICH TO DISPUTE THE DEBT AND REQUEST VERIFICATION OF THE DEBT AS PROVIDED BY THE FEDERAL FAIR DEBT COLLECTION ACT. ADDITIONALLY, THE HOMEOWNER HAS THE RIGHT TO A HEARING AS PROVIDED BY THE TEXAS RESIDENTIAL PROPERTY OWNERS ACT. SPECIFICALLY:**

- A. Property owners may submit a written request on or before the 30<sup>th</sup> day after the receipt of a collection/violation letter to request a hearing. The purpose of the hearing is to discuss and verify fact and resolve the matter in issue before a committee appointed by the Board of Directors or the Board of Directors if no committee has been appointed. If the hearing is before a committee, the property owner has the right to appeal the committee's decision to the Board by written notice to the Board.
- B. The Association shall hold a hearing within thirty (30) days after receipt of the property owner's request for a hearing. The Association will notify the property owner of the date, time, and place of the hearing no later than the 10<sup>th</sup> day before the hearing.
- C. The Board, committee, or property owner may request a postponement for a period of not more than ten (10) days.
- D. The notice and hearing provisions of the Act do not apply if the Association files suit seeking a temporary restraining order or temporary injunctive relief.

**ASSESSMENT PAYMENTS, DONATIONS AND GIFTS TO THE ASSOCIATION ARE NOT CHARITABLE CONTRIBUTIONS FOR INCOME TAX PURPOSES. [THIS DISCLOSURE IS MADE FOR THE EXPRESS INTENTION OF COMPLYING WITH IRC SECTION 6113.]**