

**CANYON OAKS PROPERTY OWNERS ASSOCIATION
COLLECTION POLICY AND PAYMENT PLAN GUIDELINES
Revised January 2023**

Annual Assessment Billing

Annual assessments are due on the thirtieth (30th) day of January of each year. Billing statements are mailed out to all Members of record, approximately 30 days prior to each billing cycle's "due date". Members who do not receive a statement are still responsible for payment of the assessment. Members may contact the Treasurer prior to the due date to request a replacement statement if one has not been received.

Administrative Fee

Member's accounts not paid in full by the "due date" shall be charged a \$25.00 per month per tract administrative fee payable to COPOA.

Payment Plan Guidelines

Members have the option of making partial payments for a period of 3 months without penalty without Board approval. The terms of this option are the Member must pay a minimum of 1/3 of the assessment amount each month due no later than the last day of each month. The payment plan will also incur the aforementioned administrative fee which should be added to each monthly payment. Members may file a written request to the Board if they would like to propose a different payment plan for consideration. Members may pay the account in full at any time prior to the end of the 3-month period; however, once a billing statement is mailed, all fees included in the billing statement are due.

Any Member's that have defaulted on a payment plan in the previous 2 years is not eligible for a payment plan.

Insufficient Funds Check

Accounts presented with an insufficient funds payment will be charged a non-negotiable insufficient funds fee of not less than \$25.00 per check. Payment of the outstanding account balance will be required to be paid with a money order or cashier's check. Personal checks will not be accepted to satisfy an outstanding account balance when an insufficient funds check makes up a portion of the balance. Additionally, the account will be charged the actual cost for any check that is returned or Automatic Clearing House (ACH) debit that is not paid as a result of Non-Sufficient Funds (NSF).

Account Delinquencies

If full payment is not received by the end of the optional three-month period, the account will be considered delinquent and subject to policies and fees for delinquent accounts. COPOA will notify the Member that their account continues to show a balance due and all accumulated late charges and/or fees.

90 Days Delinquent – “10 Day Demand Payment”

COPOA will send a certified letter with a statement pursuant to Tx. Prop. C. §209.006 informing the Member(s) that if their account is not paid in full within 45 days of the date of the notice letter, the COPOA will proceed to file a lien against their property, in which event the Member will become liable for attorney’s fees and costs of collection in addition to any unpaid amounts. In addition, the following charges can be assessed to the member’s account when the “10 Day Demand for Payment” letter is sent:

1. \$10 for certified mail costs and
 - a. A \$50 processing fee,
2. All postage, legal, and recording fees are estimates and are subject to change;
3. Additional Attorney/collection fees will be charged to the delinquent account if it is necessary to commence a foreclosure action.

Military Notice

Notifications to Members for lien and foreclosure warnings must include a statement that they may have certain rights or relief if they are in active military duty.

Application of Payments

All payments received shall be applied to the account pursuant to Tx. Prop. C. §209.0063 unless there is an agreed payment plan in place

The acceptance of partial payment on an account does not constitute a waiver of the Association’s right to collect the full outstanding balance due on the account.

Effective Date

The foregoing collections policy has been adopted by the Canyon Oaks Property Owners Association Board of Directors to be effective upon recording in the Official Records of Uvalde County, Texas.

Policy Management

The COPOA Board may at any time revise the foregoing collection procedure and proceed differently with collection of an individual account based on the circumstances applicable to that account and advice and guidance from the Association’s attorney. Failure by the COPOA Board to follow the foregoing collection procedure shall not in any way affect the Member’s obligation to pay all dues and assessments when due, along with all collection costs.

(REMAINDER OF PAGE LEFT BLANK)

The Board of Directors and on behalf of the COPOA may elect to pursue any available method of collection allowable under the governing documents and/or Texas law, which may include the filing of a lawsuit for foreclosure against the Owner.

Signatures and Attestation

Adopted by the Board of Directors on the 2nd day of January 2023.

CANYON OAKS PROPERTY OWNERS ASSOCIATION

Cherie A Young
{officer name}

President
{position}

STATE OF TEXAS §

COUNTY OF Fort Bend §

BEFORE ME, the undersigned notary public, on this 1st day of January 2023 personally appeared CHERIE A. YOUNG, _____ of CANYON OAKS PROPERTY OWNERS ASSOCIATION known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and in the capacity therein expressed.

[Signature]
Notary Public in and for the State of Texas

