

THE COURTYARD CONDOMINIUM TRUST  
CHELMSFORD, MASSACHUSETTS

POLICY RESOLUTION XII

COLLECTION OF DELINQUENT  
COMMON AREA FEES AND ASSESSMENTS

WHEREAS, Article 5, Section 5.1 grants that the "The Trustees shall have the powers and duties specifically conferred upon them by Chapter 183A, the Master Deed and these By-Laws, and all other powers and duties necessary for the administration or the affairs of the Condominium (except as otherwise provided by law, the Master Deed or these By-Laws), including without limiting the generality of the foregoing, the following powers and duties"; and

WHEREAS, Article 5, Section 5.1.2 charges the Board with the duty of assessment collection; and

WHEREAS, orderly procedures must be established for the collection of assessments that remain unpaid past their due date;

NOW THEREFORE BE IT RESOLVED THAT the procedures for collection of delinquent assessments be as follows:

1. Any assessment payment not received within fifteen (15) days after the due date shall be termed delinquent.
2. At the time an assessment becomes delinquent, on the 15th day of the month, a late charge of \$10.00 will be added to the account, and a statement to that effect and a notice of delinquency will be sent to the delinquent owner.
3. If payment, including any additional charges, is not received within forty-five (45) days after the due date, a second notice of delinquency will be mailed to the owner, as notification that payment must be received by the 30th of that month in order to avoid additional late charges.

If payment is not received within five (5) days of the required due date, the Trustees will be notified of the delinquent account(s). The Trustees shall authorize their agent to contact the Trust's attorney to proceed with collection in accordance with Chapter 400 as it amends Chapter 183A.

A list of the property(ies) in question and the name(s) of the owner(s) shall be turned over to the Counsel for the Association, who shall cause the lien(s) to be recorded and shall take other appropriate legal action.

All fees incurred by the Condominium Association in collecting the delinquent charges, including returned check fees, penalties, fees, etc. shall be charged to the delinquent unit owner.

The Trustees may, at their sole discretion, exercise their option to accelerate payment of the remaining installments, and the entire amount of the annual assessment or of the parcel assessment shall become due and payable. The Chairperson of the Board of Trustees or their agent acting on behalf of the Board shall send notification of this action to the delinquent unit owner.

4. At the same time that the delinquent account is turned over to the Counsel, the right of the delinquent owner to vote, to use recreational facilities, and to serve on any committee established by the Board shall be suspended until such delinquent assessments have been paid, unless relief is granted by Special Resolution of the Board of Trustees.

DULY RECORDED IN THE BOOK OF MINUTES

THIS 19TH DAY OF OCTOBER, 1994

ATTESTED:

A handwritten signature in cursive script that reads "Robert J. Michael".

CHAIRMAN