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City of Virginia Beach
05/07/2012
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Tina E. Sinnen, Clerk

RESOLUTION 2012-1

of the

Board of Directors

of

CAMPUS EAST COMMUNITY ASSOCIATION, INC.

(Collections Procedures for the Annual Assessment and Covenant Violation Charges)

WHEREAS, the Board of Directors is directed by Article VII of the Declaration of Covenants, Conditions and Restrictions for Campus East Community Association (“Declaration”), dated September 23, 1982, and recorded on January 7, 1983, in the Clerk’s Office of the Circuit Court of the City of Virginia Beach, Virginia (“Clerk’s Office”), in Deed Book 2234, at Page 0760, and by Article VII of the Association’s Bylaws, as all of the same may have been amended or supplemented from time to time, to fix and collect annual and/or special assessments and charges and to provide procedures for such imposition and collection; and

WHEREAS, for the benefit and protection of the Association and of the individual members, the Board of Directors deems it desirable to adopt Rules and Regulations pursuant to the Declaration as required by Section 55-513 of the Code of Virginia, 1950, as amended (a provision of Virginia’s “Property Owners’ Association Act”) to assure consistent collection of past due assessments; and

WHEREAS, this Resolution supersedes any prior Resolutions and/or Rules and Regulations governing collection of the Annual Assessment and/or collection of covenant violation charges adopted prior to the effective of this Resolution; and

WHEREAS, the Board of Directors will provide notice of this policy to all current owners by mailing a copy of this Resolution to current owners and to all future owners by including the Resolution in resale disclosure packages prepared pursuant to Section 55-512 of the Property Owners’ Association Act and by recording this Resolution in the Clerk’s Office.

GPINS: See Exhibit A attached (too numerous to list)
Prepared By and Return To: Sarah R. Palamara, Atty., PLLC
15064 Carrollton Blvd., Ste H
Carrollton, VA 23314

NOW THEREFORE, the Board of Directors of Campus East Community Association, Inc. does hereby adopt this Resolution in order to adopt the following collections procedures:

1. Annual Assessments:

- a. Payment Schedule. The Annual Assessment for each year shall be communicated by invoice to each Owner no later than November 15th of each year. The Annual Assessment is due on February 1st of the following year.
- b. Late fee. A late charge of \$35.00 will be assessed if the Annual Assessment is not paid on or before February 1st. Interest will accrue at eight percent (8%) per annum from February 1st on any unpaid balance until the Annual Assessment and late charge are paid in full.
- c. Notices to Owners of Late Assessments.
 - (1) If the Annual Assessment is unpaid by February 1st, the Owner will be sent a Past Due Assessment Notice by U.S. Mail, certified return receipt requested, and by regular mail, notifying the Owner the Annual Assessment is delinquent, the late fee has been assessed and that interest is accruing on the past due balance.
 - (2) If the Annual Assessment plus the late charge and accrued interest are not paid in full by March 1st, a Final Notice letter will be sent to the Owner informing the Owner that the account is being forwarded to the Association's counsel for collection.

2. Covenant Violation Charges:

- a. Payment Schedule. Any charges assessed against any Lot pursuant to the Association's Due Process Procedures Resolution and/or Section 55-515 of Virginia's Property Owners' Association Act shall be communicated by invoice to the Owner of the Lot within sixty (60) days of the date the charges accrue. The covenant violation charges shall be due not less than 60 days from the date of the invoice.
 - (1) Charges for single occurrence violations imposed as a result of a due process hearing shall accrue on the seventh (7th) day after the day on which the due process hearing takes place.
 - (2) Charges for a continuing violation accrue on the date the continuing violation is cured or on the ninetieth (90th) day the charges are imposed, whichever first occurs.

c. Notices to Owners of Late Assessments.

- (1) If the covenant violations charges are not paid when due pursuant to the invoice required by 2.a above, the Owner will be sent a Past Due Covenant Violation Charge Notice by U.S. Mail, certified return receipt requested, and by regular mail, notifying the Owner the Covenant Violation Charge is delinquent and requiring payment within thirty (30) days of the date of the Covenant Violation Charge Notice.
 - (2) If the Covenant Violation Charge is not paid in full within 30 days of the date of the Covenant Violation Charge Notice, a Final Notice letter will be sent to the Owner informing the Owner that the account is being forwarded to the Association's counsel for collection.
4. Collection of Past Due Accounts. If any assessment and/or covenant violation charge account is forwarded to the Association's counsel for collection, the account will become subject to interest, additional costs and attorneys' fees. The Board of Directors, on behalf of the Association, hereby reserves the right to collect all Assessments, of any nature whatsoever, by all methods and means available by law. In addition, the Board of Directors shall cause a lien to be filed in the land records of the City of Virginia Beach, Virginia, against the Lot if any assessment remains unpaid for a period in excess of ninety (90) days or as allowed by Section 55-516 of Virginia's Property Owners' Association Act, as the same may be amended from time to time. The Board reserves all rights to foreclosure on such liens as allowed by Section 55-516 of the Property Owners Association Act.
5. Payment of Past Due Accounts. Once an account is forwarded to the Association's collections attorney for collection, payment shall be made by certified check, money order or cash only and shall be payable only to the Association's collections attorney. Payments on past due accounts shall not be accepted by the Association's Board of Directors, individual Board Members, the Association's management office or the Association's Association Manager. All accounts shall be assessed costs and attorneys' fees and no past due account shall be deemed current until such costs and fees have been paid in full.

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CERTIFICATION

The undersigned President of the Association does hereby certify that this Resolution 2012-2 of the Board of Directors of Campus East Community Association, Inc. has been approved by a vote of more than a majority of the Members of the Board of Directors, as evidenced by their approval on file with the Association.

EXECUTED on the date first written above by a duly authorized officer of the Association.

CAMPUS EAST COMMUNITY
ASSOCIATION, INC.,
A Virginia Nonstock Corporation

By: _____
Jeffrey G. Lawn, President

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF Virginia Beach, to wit:

The foregoing instrument was acknowledged this 20 day of April,
2012, before me, the undersigned Notary Public, by Jeffrey G. Lawn, President of Campus East
Community Association, Inc.

Notary Public

Notary Registration Number: 7502278

My Commission Expires: 2/28/2015

