

Collection Policy

Adopted – Effective Immediately

The payment of annual assessments are due and payable January 1. The payment of an assessment will be deemed in default if such assessment, or any part thereof, is not paid to the Association in full on or before the due date. Each installment in default for 10 or more days will be charged a late fee on a monthly basis until all fees, including late charges, are paid in full. If assessments are not paid in a time equal to or greater than three months, the Association may enforce collection of delinquent assessments by placement of a lien, and any subsequent collection of the delinquency will be assessed to the corresponding Homeowner account. Any account that remains delinquent and exceeds a time equal to or greater than six months shall be subject to foreclosure action and all applicable fees shall be charged to the Homeowner. A Homeowner, while in default of payment, will not be entitled to vote at any meeting of the Association.

Rule Enforcement and Violation

Adopted – Effective Immediately

Article III, Section 3 of the Association’s Declaration of Covenants and Restrictions provide for monetary fines when there is a violation of Covenants and Restrictions. The process for notification of violations and the fining of these violations is as follows:

1. **NOTICE**-Notice of the violation must be delivered personally to the Homeowners or mailed via First Class and/or Certified Mail. The notice shall contain the provision violated, together with a factual description of the alleged offense.
2. **OPPORTUNITY TO DEFEND**-The offending Homeowner shall have an opportunity to appear before the Board or submit a written response to the Notice of Violation and offer evidence in defense of the alleged violation. The appearance before the Board shall be at its next scheduled meeting, or at a special meeting called for such purpose, but in no event shall the Homeowner be required to appear less than 10 days from the date of the notice.
3. **DEFAULT**-Failure to respond to the Notice of Violation shall constitute a default.
4. **HEARING AND DECISION**-Upon appearance by the Homeowner before the Board and presentation of evidence of defense, or in the event of the Homeowner’s default, the Board shall, by majority vote of a quorum of the Board, decide whether a violation has occurred. The Board’s decision is final.
5. **AMOUNTS**-After default of the Homeowner, or upon “4” above, the following fines shall be levied:
 - FIRST VIOLATION-No fine shall be levied.**
 - SECOND VIOLATION-Twenty-five (\$25.00) Dollar Fine.**
 - THIRD VIOLATION-Fifty (\$50.00) Dollar Fine.**
 - FOURTH VIOLATION AND SUBSEQUENT VIOLATIONS-One Hundred (\$100.00) Dollar Fine.**

Silver Creek Estates Homeowner’s Association
Rules & Regulations

6. **COLLECTION**-The fines levied shall be assessed against the Homeowner and shall be due and payable together with the regular Association assessment next falling due. Failure to pay the fine will subject the Homeowner to all liabilities set forth in the Association Documents.