

# Sherwood Lakes Homeowner's Association of Polk County, Inc.

## ENFORCEMENT RESOLUTION

### OWNER INFRACTION

Violation of Maintenance  
Requirements

Failure to Comply with  
30 Day Cure Period

Failure to Comply with  
Final Notice of Violation

NOW, THEREFORE, BE IT RESOLVED, that:

### ASSOCIATION ACTION

1<sup>st</sup> Letter of Violation  
30 Days to Cure

2<sup>nd</sup> Letter of Violation  
Additional 14 Days to Cure

Final Notice of Violation  
Additional 14 Days to Cure  
(Abatement)

Violation is Referred to Legal  
Counsel to send Pre-Suit  
Mediation Letter and Begin  
Legal Enforcement

The above Enforcement Resolution is adopted on this 19 day of July, 2018, and  
is effective on 19 day of July, 2018.

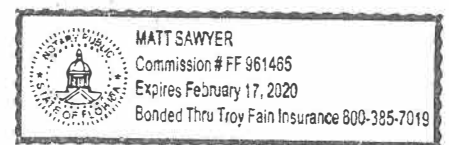
By: Kelly D. Stearns  
Print: Kelly D. Stearns

STATE OF FLORIDA  
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of July, 2018, by  
Kelly Stearns.

Notary: Matt Sawyer

Personally Known X OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



**SHERWOOD LAKES HOMEOWNER'S ASSOCIATION OF POLK COUNTY, INC.  
RESOLUTION AND COLLECTION POLICY FOR DELINQUENT ACCOUNTS**

WHEREAS, the Sherwood Lakes Homeowner's Association of Polk County, Inc.'s (the "Association") Declaration together with relevant Florida Statute authorizes the Board of Directors to levy assessments for common expenses and reserves. Each unit owner is liable for their Unit's share of the assessments. The Association is authorized to enact a reasonable policy, subject to the Declaration and Florida Statutes, for the collection of said assessments and to engage outside vendors and/or counsel to assist with the collection of assessments.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors hereby revokes all prior policies, resolutions, rules and regulations regarding the collection of delinquent accounts and adopts the following Collection Policy for Delinquent Accounts which conforms to the Association's Declaration and Florida Statute:

**COLLECTION RESOLUTION**

1. Assessments as defined by the Declaration of the Association shall be billed and collected on a semi-annual basis. Assessments are due on the 1st of the January and the 1<sup>st</sup> of July. Assessments will be delinquent if payment in full is not received by the 25th of July. Special Assessments and Specific Charges shall be billed and collected as determined by the Board of Directors. Special Assessments and Specific Charges will be delinquent if payment in full is not received within 25 days of the due date.

2. Delinquent Assessments, delinquent Special Assessments, and delinquent Specific Charges shall bear interest at the rate of 18% per annum from the date when due until paid in full and shall also be assessed a late fee in an amount not to exceed the greater of \$25.00 or 5% of each installment of the Assessment for each installment that the payment is delinquent.

3. The Association shall send a late notice when an account is delinquent in Assessments, Special Assessments, or Specific Charges. Said notice shall be sent on the 25th day after the installment was due, or as shortly thereafter as possible.

4. If any Assessments, Special Assessments, or Specific Charges are 30 days or greater delinquent the account shall be turned over to the Legal Counsel for the Association for collection pursuant to this Resolution. The Board request that Management provide a list of accounts that will be turned over to Legal Counsel.

5. If any Assessments, Special Assessments, or Specific Charges are 90 days or greater delinquent the voting rights and all committee and/or Board positions of the owner shall be suspended. If any Assessments, Special Assessments, or Specific Charges are 90 days or greater delinquent the right of the unit owner or the unit's occupant, licensee, or invitee to use common elements, common facilities, or any other Association property shall be suspended. Voting rights, committee and/or Board positions, and use of the common elements, common facilities and other Association property shall be reinstated upon receipt of payment in full.

6. Once a delinquent account is turned over to Legal Counsel for the Association shall, at the discretion of counsel, pursue any and all available legal remedies to collect the delinquent account, including without limitation, accelerating the assessments through the end of the budget year, filing a claim of lien, a lien foreclosure, and personal judgment. These collection efforts shall include accelerated Assessments, Special Assessments, Specific Charges, late charges, interest, costs of collection, administrative fees and attorney's fees and costs.

7. All funds received shall be forwarded to Legal Counsel for processing and applied to the owner's delinquent account in the following order: 1) interest, 2) late fees, 3) costs of collections, 4) attorney's fees, 5) administrative fees 6) delinquent assessments, and 7) fines levied by the Association. The foregoing is applicable notwithstanding any restrictive endorsement, designation, instruction, or accord and satisfaction instruction place on or accompanying a payment.

NOW, THEREFORE, BE IT RESOLVED, that:

The above Collection Resolution is adopted on this 19 day of July, 2018, and is effective on 19 day of July, 2018.

By: Kelly D. Stearns  
Print: Kelly D Stearns

STATE OF FLORIDA  
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of July, 2018, by Kelly Stearns.

Notary: Matt Sawyer

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