

**MARBLE ARCH TOWNHOMES COUNCIL OF CO-OWNERS  
ASSESSMENT COLLECTION POLICY**

STATE OF TEXAS  
COUNTY OF HARRIS

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KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the MARBLE ARCH TOWNHOMES COUNCIL OF CO-OWNERS (the "Association") was incorporated in the STATE OF TEXAS; and

WHEREAS, the Association is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declaration for the Marble Arch Townhomes Council of Co-Owners (hereafter collectively referred to as the "Declaration"); and

WHEREAS, the Declaration and Section 82.102 (12) of the Texas Uniform Condominium Act empower the Association to levy assessments and to use certain powers of enforcement and collection and further obligates property owners to pay such levies and related charges and costs; and

WHEREAS, some owners have failed to timely meet their payment obligations; and

WHEREAS, the Board of Directors of the Association (the "Board") desires to establish a policy for assessment collection and to provide clear and definitive guidance to the members of the Association;

NOW, THEREFORE, the Board has duly adopted the following Assessment Collection Policy.

1. All maintenance fee assessments are due on the first day of each month. Any assessment which is not paid when due shall be deemed delinquent.
2. Any account with an unpaid maintenance fee assessment after the 15th of the month shall be assessed a late charge in the amount of \$25.00.
3. If any assessment remains unpaid thirty-five (35) days after the due date, the Managing Agent is authorized to send the owner a Collection Letter until the account balance is less than \$50.00. Each Collection Letter shall specify the total amount then owing as well as a breakdown of the total amount. A processing fee of \$5.00 shall be added to the delinquent account for each Collection Letter mailed.
4. If any assessment remains unpaid sixty-five (65) days after the due date and the account balance is over \$500.00, the Managing Agent is authorized to send the owner a Certified Collection Letter, which shall specify the total amount then owing as well as a breakdown of the total amount. The Certified Collection Letter shall apprise the owner that collection of the account will be turned over to the Association's attorney unless payment in full is received within thirty (30) days of the date of the letter. A processing fee of \$15.00 plus the cost of postage shall be added to the delinquent account for each Certified Collection Letter mailed.
5. If any assessment remains unpaid thirty (30) days after mailing the Certified Collection Letter and the account balance is over \$500.00, the Managing Agent is authorized to instruct the Association's attorney to proceed with steps necessary to effect enforcement of the Association's lien to satisfy the assessments due, including conducting a foreclosure sale.

6. Payments must be made in the following form: personal check, cashier's check, or money order. Cash will not be accepted.
7. The owner may enter into an approved payment plan. A onetime processing fee of \$60.00 shall be added to the delinquent account for the cost associated with setting up the payment plan. For the term of the payment plan, a monthly processing fee of \$15.00 shall be added to the delinquent account to defer the costs associated with monitoring and administering the payment plan.
8. All assessments are due in full. If a payment plan is established, an owner may make a partial payment towards a delinquent account. Unless otherwise agreed upon, the Association may reject all partial payments.
9. Any partial payment that is accepted, whether agreed upon in an approved payment plan or otherwise, shall be applied toward the delinquent account in the following order: 1) delinquent assessments, 2) current assessments, 3) attorneys' fees and collection costs associated with a delinquent account, 4) attorneys' fees other than those associated with a delinquent account, 5) fines; and 6) any other amount owed to the Association.
10. A processing fee of \$25.00 shall be added to an account for any and all payment(s) returned by a financial institution due to insufficient funds (NSF). The Association may require payment in the form of a cashier's check or money order to replace a NSF check. The Association may immediately require all future payments to be paid in the form of certified funds upon receipt of a NSF check.
11. All costs and fees incurred by, charged to or paid by the Association for processing a delinquent account shall be added to the delinquent account and paid by the Member.

This Policy is effective upon recordation in the Public Records of Harris County, and supersedes any policy regarding assessment collection which may have previously been in effect. All other provisions contained in the Declaration or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

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Eve Demma  
President  
Marble Arch Townhomes Council of Co-Owners

STATE OF TEXAS                   §  
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COUNTY OF HARRIS           §

Before me, the undersigned authority, on this day personally appeared Eve Demma, President of Marble Arch Townhomes Council of Co-Owners, a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

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Notary Public, State of Texas

AFTER RECORDING RETURN TO:

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