

**WEST SAHARA COMMUNITY ASSOCIATION  
ASSESSMENT AND FINE COLLECTION POLICY RESOLUTION**

WHEREAS, Article VII of the Declaration creating the West Sahara Community Association gives the Board the responsibility to manage the business affairs of the Association; and

WHEREAS, Article IV of the Bylaws for the West Sahara Community Association gives the Board the power to manage the business affairs of the Association; and

WHEREAS, the Board and Association's managing agent desire to set policies regarding the collection of past-due assessments and fees,

NOW THEREFORE BE IT RESOLVED, that the following policy shall be implemented and followed as such:

1. Owner shall be responsible to pay all assessments and special assessments. If Owner becomes delinquent with respect to regular assessments or special assessments, then Owner shall be responsible to pay all assessments plus any collection-related costs allowed by law. If Owner fails to pay assessments in a timely manner, the Association shall have the right to record a Notice of Delinquent Assessment against the property, record a Notice of Default against the property, record a Notice of Sale against the property, and foreclose on the property pursuant to Nevada Revised Statutes Chapter 116, as described in more detail below. In addition, Owner shall be responsible to pay reasonable collection fees related to the collection of delinquent assessments. Attached is an approximate schedule of fees Owner shall be responsible to pay. The attached schedule of collection fees will be superseded by any regulations adopted by the Nevada Real Estate Division on the date such regulations become effective.

2. Owner shall be responsible to pay all fines. If Owner fails to pay any fine, then Association may lien Owner's property and Association has the right to charge any amount allowed by law to collect unpaid fines from Owner. Please be aware that fines are treated differently than assessments. The Association cannot foreclose on a lien for fines. However, the Association can foreclose on a property if Owner fails to pay regular or special assessments in a timely manner.

3. Regular Assessments shall be due on the **1<sup>st</sup> day of each month**. *In the case of a sub-association making payment, they will be due the 15<sup>th</sup> day of each month.* **CC&Rs Article V, Section 8**

4. Regular and special assessments shall be delinquent if not paid **within fifteen (15) days** of the due date. *In the case of a sub-association making payment, they will be delinquent if not paid within twenty (20) days of the due date.* **CC&Rs, Article V, Section 8**

5. There shall be a late charge of **Five Dollars per month (\$5.00)** for any assessment that is not paid within thirty (30) days after the due date. **CC&Rs, Article V, Section 9**

6. The Association may charge interest at the rate allowed by law on any assessments not paid within thirty (30) days after the due date shall bear interest from the due date at a rate of twelve (12%) percent per annum, or the prime rate which ever is greater; but never to exceed eighteen (18%) percent per year. **CC&Rs, Article V, Section 9 and NRS 116.3115**

7. If the assessment is not paid by the 15<sup>th</sup> of the month (20<sup>th</sup> of the month in the case of sub-associations), the Association, through its Agent, will send a notice to the owner notifying them of their delinquency. A \$10.00 administrative fee will be assessed to the Owner's account for this service.

8. If the assessment is not paid by the 15<sup>th</sup> of the following month (20<sup>th</sup> of the month in the case of sub-associations), the Association, through its Agent, will send a second reminder notice to the owner notifying them of their delinquency. A \$15.00 administrative fee will be assessed to the Owner's account for this service.

9. If all past due amounts have not been paid by the 15<sup>th</sup> of the third month (20<sup>th</sup> of the month in the case of sub-associations), the Association will turn the delinquent account over to their approved Collection Agent.

10. A Notice of Intent to Lien may be sent to any Owner who becomes delinquent in the payment of any assessment.

11. If an Owner becomes delinquent, a Lien (Notice of Delinquent Assessment) shall be recorded and mailed to the unit Owner and shall be recorded with the Clark County Recorder.

12. A Notice of Default and Election to Sell shall be recorded and mailed to an Owner that fails to pay in full all assessments due to the Association within the time required by the Lien (Notice of Delinquent Assessment).

13. The Association shall record and mail a Notice of Sale setting forth the date for the sale of the unit of any Owner who fails to pay in full all assessments due to the Association within the time required by the Notice of Default and Election to Sell.

14. An Owner shall be responsible for all reasonable collection fees, legal fees and costs the Association incurs in attempting to collect any delinquent assessments. The legal fees and collection costs associated with collecting unpaid assessments are significant. The more steps to collect delinquent assessments, the more legal fees and collection costs will be added to the delinquent Owner's account. Thus, the Association strongly advises that all Owners ensure assessments are paid when due.

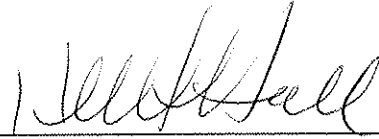
15. The Association may enter into Good Faith Agreements with Owners to set up a payment plan for delinquent assessments. However, if an Owner refuses to enter into a payment plan acceptable to the Association or if an Owner fails to comply with the terms of a payment plan, the Association shall proceed to collect the delinquent assessments as set forth herein.

16. The Board must approve all write-offs of debt.

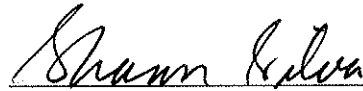
17. The Community Manager shall provide timely updates and reports as necessary.

18. The Association has the right to collect any delinquent assessments in any manner allowed by Nevada law.

19. This Assessment and Fine Collection Policy was approved by the Board and was adopted on September 22, 2009 and supersedes any previous Collection Policy.



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President



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Secretary