

**SYMPHONY VILLAGE HOMEOWNERS ASSOCIATION, INC.**  
**100 Symphony Way**  
**Centreville, MD 21617**

**SYMPHONY VILLAGE AT CENTREVILLE TERMS OF REFERENCE**



**Approved and Adopted by the Board of Directors on March 24, 2017**

**SYMPHONY VILLAGE AT CENTREVILLE  
TERMS OF REFERENCE  
FOR ASSOCIATION ADVISORY COMMITTEES**

The Board of Directors of the Association have established advisory committees that will be organized and begin operation no later than January 31, of each calendar year. The committees are: Budget and Finance, Covenants, Lifestyle, Operations, Landscape and Irrigation, and the Publications and Communications.

Pursuant to the Board of Directors requirements, each committee will elect a chairperson at their first meeting which they will present to the Board for approval. The Board may implement additional committees as needed. The following are the rules for operation of the current committees:

- The committees in conjunction with the Board of Directors shall represent and shall be accountable to the age-qualified residents of Symphony Village;
- All committees shall report to the Board of Directors President or his/her delegated representative;
- Each committee shall have a Chairperson and Vice Chairperson elected from within their ranks. The Chairperson shall be responsible for identifying any additional members or subcommittee (as required);
- Committee members will be appointed by the Board of Directors;
- All members of the committee will be voting members except when two members are from the same address in which case they will have only one vote.
- If a committee member misses three meetings, the Committee Chair can recommend to the Board of Directors that the member be removed from the committee.
- All committee meetings will be open to the residents of Symphony Village;
- The activities of the committees shall be limited to the activities listed in this Terms of Reference. These may be expanded only with the prior approval of the Board of Directors.

It is important that new as well as existing age-qualified residents are provided with an opportunity to participate in the activity of the committees. The committees shall operate under the following rules and guidelines:

1. The Board of Directors shall approve a new Chairperson by January 31 of each year. The Board shall maintain the right to extend the term of office of a sitting member;
2. The Board of Directors shall make the maximum effort to ensure that the committee is composed of members with the maximum geographic distribution within Symphony Village;
3. The Board shall make every effort to identify age-qualified residents who have interest in serving on committees. All new residents shall be provided with information concerning the committees, their members, and their terms of reference, and shall be encouraged to contact the Board if they are interested in serving on any committee;

4. Each committee shall meet at a frequency to be determined by the Chairperson.
5. Each committee shall generate meeting minutes and a copy of these minutes shall be provided to the General Manager with recommendations to the Board of Directors;
6. All committees shall present a brief summary of their activities for presentation at the Board of Directors Meetings;
7. Recommendations by the committees shall be based upon a majority vote of the committee members, and shall be reported to the General Manager at the earliest convenience to be voted on by the Board of Directors. Each Lot Owner(s) is only allowed one vote per Lot Owner (s).

Committees do not have the authority to make decisions that involve expenditure of funds, renovation of common property, changes in Rules and Regulations, etc. The committee will make recommendations through the Property Manager to the Board of Directors for approval.

Examples of such recommendations are:

- A recommendation by the Operations Committee to recommend the installation of a specific security system in the outside pool area at the Symphony Village Clubhouse
  - A decision by the Lifestyle Committee to begin planning for a specific community event such as a Valentine’s Day dance
  - A recommendation from the Budget and Finance Committee to move/fund current year Budget Funds Accounts
8. The Board of Directors will appoint a “Board Liaison” member to each committee with the following guidelines:
    - They are not a member of the committee and therefore have not vote at committee meetings
    - They can provide applicable Board requirements to the committee
    - They can represent committee requirements at Board of Director meetings

### **TERMS OF REFERENCE FOR COMMITTEES**

#### **1. Publications and Communications Committee**

The committee shall:

- Generate and distribute a Symphony Village Newsletter to include social news, announcements of new arrivals at Symphony Village, details of upcoming events and reports on past events in Symphony Village and the surrounding area, and other items as determined by the majority vote of the committee. Articles that may be in doubt with the committee authority and/or the best interest to association requirements will be submitted for approval to the Board of Directors prior to publication of the article;
- The newsletter will be issued on a monthly basis and will be distributed through our website and made available in hard copy at the clubhouse for the residents without access to the website;

- Maintain and distribute a directory of residents of Symphony Village to include name, address, telephone number, and e-mail address if available;
- Maintain and distribute an information packet to new Symphony Village residents to include information concerning the Board of Directors, the committees, club activities, a recent newsletter, and other information to be determined by the Chairperson;
- Conduct monthly committee meetings and maintain minutes of each meeting; which will be provided to the Board with applicable recommendation for approval.

## 2. Lifestyle Committee

The committee shall:

- Conduct monthly committee meetings and maintain minutes of each meeting; which will be provided to the General Manager with applicable recommendations for approval by the Board of Directors.
- Be responsible for scheduling Symphony Village community entertainment events and informational or educational actively requests (new or on-going) and for making specific recommendations for contemplated events to the Association Board of Directors;
- Be responsible for organizing approved events and for establishing limited-duration ad-hoc committees) which could include Non-Lifestyle Committee residents who may chair the event to expedite such events at the discretion of the chairperson;
- Be responsible for publicizing planned and past events in the Symphony Village newsletter and Master Calendar by other means as determined by the chairperson;
- Ensure that all Lifestyle activities and events are scheduled only for the residents of Symphony Village and their guests. The Clubhouse and all ancillary areas WILL NOT be used and/or rented to any outside organizations, nor used for any business endeavors that are not sponsored by the Symphony Village Homeowners Association.
- When an event is sponsored by the Lifestyle Committee there shall be no Concert Hall rental fee required for entertainers, speakers, educators who charge for their time. When an educational or informational symposium is arranged that includes multiple vendors, including for-profit firms, the room fee will also be waived, however, no business can be conducted on-site.
- At a minimum, the Lifestyle Committee operations will follow the below guidelines:
  - a. The committee will prepare a written plan which must be approved by majority vote of the members of the committee and submitted to the General Manager, prior to each scheduled event. (This does not apply to the twice a month resident happy hour parties). The Plan will include:
    - Details of the event
    - When the event will occur

- Who will operate/run the event
  - Budget of the event
  - Milestones for the event
  - Other
- b. The committee will prepare a yearly Calendar of Events which will be published on the Association website no later than January 31<sup>st</sup> of each year;
  - c. All events will be self-supporting and all event budget expenses must be covered by the ticket price for each event;
  - d. All event contractual requirements will be approved and signed by the Board President, or the Board designated representative.
  - e. The SVHOA will not sponsor off site events and will not collect funds for such events as these events are not covered by the SVHOA Insurance policy.

### **3. Covenants Committee**

The committee shall:

- Regulate the exterior design, signage, appearance, use and maintenance of homeowner lots and the HOA common property in accordance with the provisions of Article 9 of the Symphony Village of Centreville Declaration of Covenants, Conditions, and Restrictions. The Covenants Committee will be appointed by the Board of Directors to a two-year term for one-half of its members and a one-year term for one-half of its members each year. In addition the Covenants Committee shall:
- Establish architectural design guidelines concerning any additions, alterations or improvements to any portion of property visible from the exterior of the lot;
- Establish a request application procedure and format for proposed additions, improvements or alterations for conformance with the design guidelines;
- Review all applications for proposed additions, improvements or alterations for conformity with the design guidelines;
- Require additional needed information on the first review for conforming with the design guidelines;
- Review all applications for proposed additions, improvements or alterations for conformity with the design guidelines;
- Recommend an approval or non-approval letter to the requesting party through the General Manager;
- Conduct monthly committee meetings and maintain minutes of each meeting; which will be provided to the General Manager with applicable recommendations for approval;
- Serve as an adjunct to the Board of Directors to evaluate and recommend the resolution of the community conflicts regarding architectural changes and other local issues.

- In conjunction with the General Manager conduct a semi-annual review and survey of the community.

#### **4. Budget and Finance Committee**

The committee shall:

- Represent the community owners in the areas of budget preparation, owner's assessments, expenditures, and provide sound fiscal policies in accordance with Appendix A and operations for the conduct of the Symphony Village business operations;
- In conjunction with the General Manager, prepare a draft budget for the new fiscal year for review and approval by the Board of Directors no later than October 15 of each year;
- Review monthly/quarterly expenditure reports from the Management Company for current fiscal year and provide comments and recommendations to the General Manager and the Board of Directors;
- Provide budget and finance representatives to all other committees to assist in valid and proper expenditure of funds during the fiscal year;
- Provide applicable reports/comments to the General Manager and the Board of Directors as required for proper budget allocation and expenditures;
- Conduct monthly committee meetings and maintain minutes of each meeting; which will be provided to the General Manager with applicable recommendations for approval.

#### **5. Operations Committee**

The committee shall:

- Except for the Landscape and Irrigation programs, will represent and aid the Community owners, the Board of Directors, and the General Manager in the management and operation of the community common property, (Clubhouse, swimming pools, streets, ponds, etc.);
- Except for the Landscape and Irrigation programs, will provide input and recommendations to the General Manager and the Board of Directors in preparation of plans for the maintenance and upkeep of community property; and provide assistance for the evaluation and execution of approved maintenance plans;
- Except for the Landscape and Irrigation programs, will assist the General Manager in the evaluation of contract service bids and provide applicable recommendations for approval of such contract services, in accordance with Appendix B and C.
- Except for the Landscape and Irrigation programs, will provide the General Manager and the Association's Budget and Finance Committee input and recommendations regarding the execution of funding requirements for the operating year (budget year) for maintenance requirements; and input and recommendations for the preparation of the next year's budget;

- Except for the Landscape and Irrigation programs, will provide recommendations to the General Manager and the Board for community maintenance and upkeep requirements;
- Provide applicable reports to the Board of Directors and community residents during monthly meetings;
- Conduct monthly committee meetings and maintain minutes of each meeting; which will be provided to the General Manager with applicable recommendations;
- Will be responsible for reviewing all security aspects of the Symphony Village Clubhouse, and generate recommendations to the General Manager and the Board for new or improved security procedures and requirements.

## **6. Landscape and Irrigation Committee**

The committee shall:

- Represent and aid the Community owners, the Board of Directors and the General Manager in the management and operation of the community Landscape and Irrigation programs.
- Provide input and recommendations to the General Manager and the Board of Directors in preparation of plans for the maintenance and upkeep of community Landscape and Irrigation systems.
- Assist the General Manager in the evaluation of Landscape and Irrigation contract service bids and provide applicable recommendations for approval of such contract services, including mowing and landscape maintenance and the irrigation system.
- Provide the General Manager and the Association's Budget and Finance Committee input and recommendations regarding the execution of funding requirements for the operating year (budget year) for Landscape and Irrigation maintenance requirements; and input and recommendations for the preparation of the next year's budget;
- Provide recommendations to the General Manager and the Board for community Landscape and Irrigation maintenance and upkeep requirements;
- Provide applicable reports to the Board of Directors and community residents during monthly meetings;
- Conduct monthly committee meetings and maintain minutes of each meeting; which will be provided to the General Manager with applicable recommendations;

## **NON-SYMPHONY VILLAGE ASSOCIATION ACTIVITIES**

### **1. Outreach**

This non-profit organization:

- Is dedicated to providing volunteer and financial support services in Queen Anne's County, MD and has established a non-profit organization status to expedite the collection and distribution of funds;

- Shall maintain a Neighbor-to-Neighbor standing committee to support Symphony Village residents in need of assistance or support as a result of illness, accident, disability, bereavement or family emergency on a temporary basis. This standing committee shall be chaired by an individual elected by voting members of this non-profit organization;
- Shall identify approximate annual or bi-annual budget guidelines for the standing committees and the other support efforts of Outreach following each fundraising activity. Approximately 20% of the funds raised should remain unallocated and used for future contingencies encountered by Outreach. These budget guidelines shall be established by the voting members of Outreach and shall be the sole responsibility of the Outreach Committee. Community Association funds will not be used to serve this endeavor;
- Shall entertain applications and referrals for support from non-profit agencies, organizations, and institutions in Queen Anne’s County. The Outreach organization shall decide by majority vote the outcome of the application and the extent of the support if any, to be provided. The Outreach organization shall not entertain applications for support from specific individuals in need of assistance;
- Shall establish limited-duration ad hoc committees to plan and organize specific support activities at the discretion of the Chairperson;
- Shall publicize the activities of the Outreach organization in the Symphony Village newsletter, “The Libretto,” available online and at the Clubhouse;
- Shall continue to keep the Board of Directors informed about the various activities of the organization.

## **2. Sneakers**

The residents of Symphony Village at Centreville have established a tax-deductible organization to aid public school children and their families in the town of Centreville, MD. This non-profit organization shall:

- Work in cooperation with the public schools of Centreville to help children with clothing, school supplies, field trips, and other needs as identified by the guidance counselors, including assistance with fuel bills for the families;
- Offer scholarships to graduating Queen Anne’s County High School seniors;
- Co-fund with the school PTA for purchasing reading books;
- Assist with the book distributions and the refreshments that are provided by the school;
- Support school activities in the clubhouse, including but not limited to, Kennard Chess Club “play the chess master night” and Centreville Elementary School’s Cubby Chorale thank you concerts for all the support Symphony Village residents provide;



- Assist with the organization and packaging of canned goods collected by the students at Christmas as well as with wrapping and organizing presents collected from the community;
- Schedule and sponsor an annual silent auction with contributions of gifts and/or gift certificated for goods and/or services from residents and local merchants;
- Collect food items and gifts for the Thanksgiving and Christmas seasons;
- Try to expand additional volunteer activities in the schools, such as mentoring, and reading assistance;
- The Symphony Village Association funds will not be used to serve this endeavor

## APPENDIX A

### Investment Policy

The Symphony Village at Centreville Homeowners Association (the “SVHOA”) accesses its’ members homeowners fees to fund SVHOA expenses. The assessments include monies for future replacement of SVHOA common elements and other contingencies. Such monies are termed the Replacement Reserve. It is the intent of the Investment Policy to ensure that Replacement Reserve and contingency monies collected (“capital”) will be available when needed in the future.

It is the responsibility of the Investment Sub-Committee to monitor the Operating Account and the money market account balances so that the HOA has sufficient readily available cash to pay expenses. As a general rule, such balances should equal between 10 percent and 20 percent of revenues. Whenever, the Operating Account and money market account balances fall below the ten percent threshold, the Investment Sub-Committee is to notify the HOA Board and recommend corrective action.

This policy applies to Replacement Reserve Funds not needed for the current fiscal year and any identified operating funds not needed for the current fiscal year.

The SVHOA Board of Directors, as fiduciaries, shall

1. Act to ensure the preservation of capital;
2. Seek a rate of return on the capital commensurate with low risk;
3. Apply the “prudent person” rule in determining “low risk” in a given investment; Prudent Person Rule – A standard that requires that a fiduciary entrusted with the funds for investment may invest such funds only in investments that any reasonable individual interested in receiving a good return of income while preserving his or her capital would purchase.
4. Assure the availability of monies when needed to fund replacement.

The SVHOA Board of Directors shall seek recommendations from the SVHOA Treasurer, the Property Managing Agent, and the Chairperson of the Budget and Finance Committee prior to making decisions for investing HOA funds.

## **APPENDIX B**

### Landscape Maintenance

The SVHOA will contract to provide mowing and landscape maintenance on the residential lots inside the Private Area on an individual lot basis as well as the Common Area.

### Snow Removal

The SVHOA will contract to clear entry sidewalks, driveways, and parking lots as designated by the Board of Directors. Plowing of those areas will begin when snow accumulation reaches a determined depth.

## APPENDIX C

### Symphony Village Homeowners Association Procurement Procedures

The SVHOA Board of Directors, (the “Board”) is the only body of the HOA that may obligate or spend HOA funds. No individual Board member, Committee member or resident can obligate or seek proposals from vendors without prior approval of the Board.

When seeking the acquisition of Goods and Services, every attempt will be made to obtain competitive bids from a minimum of three (3) vendors except where there are existing contracts in place. Based on the Procurement Process Flow Chart, the HOA General Manager is authorized to approve contracts of \$3,000 or less after BOD approval of the project. If three bids are not obtained, then a written explanation will be provided to justify recommending the procurement.

When urgent or emergency repairs or replacements are required the HOA General Manager must immediately inform the BOD of the problem. The HOA General Manager is authorized to solicit and sign contracts for up to \$5,000, but shall coordinate with the Board President or Board designee to review whether a repair or replacement is the best course of action.

To facilitate the day to day operations of the community, the HOA General Manager is authorized to sign contracts for up to \$1,500 without BOD approval for basic expenses and minor repairs. The HOA General Manager will report those expenditures as part of the normal reporting updates to the BOD.

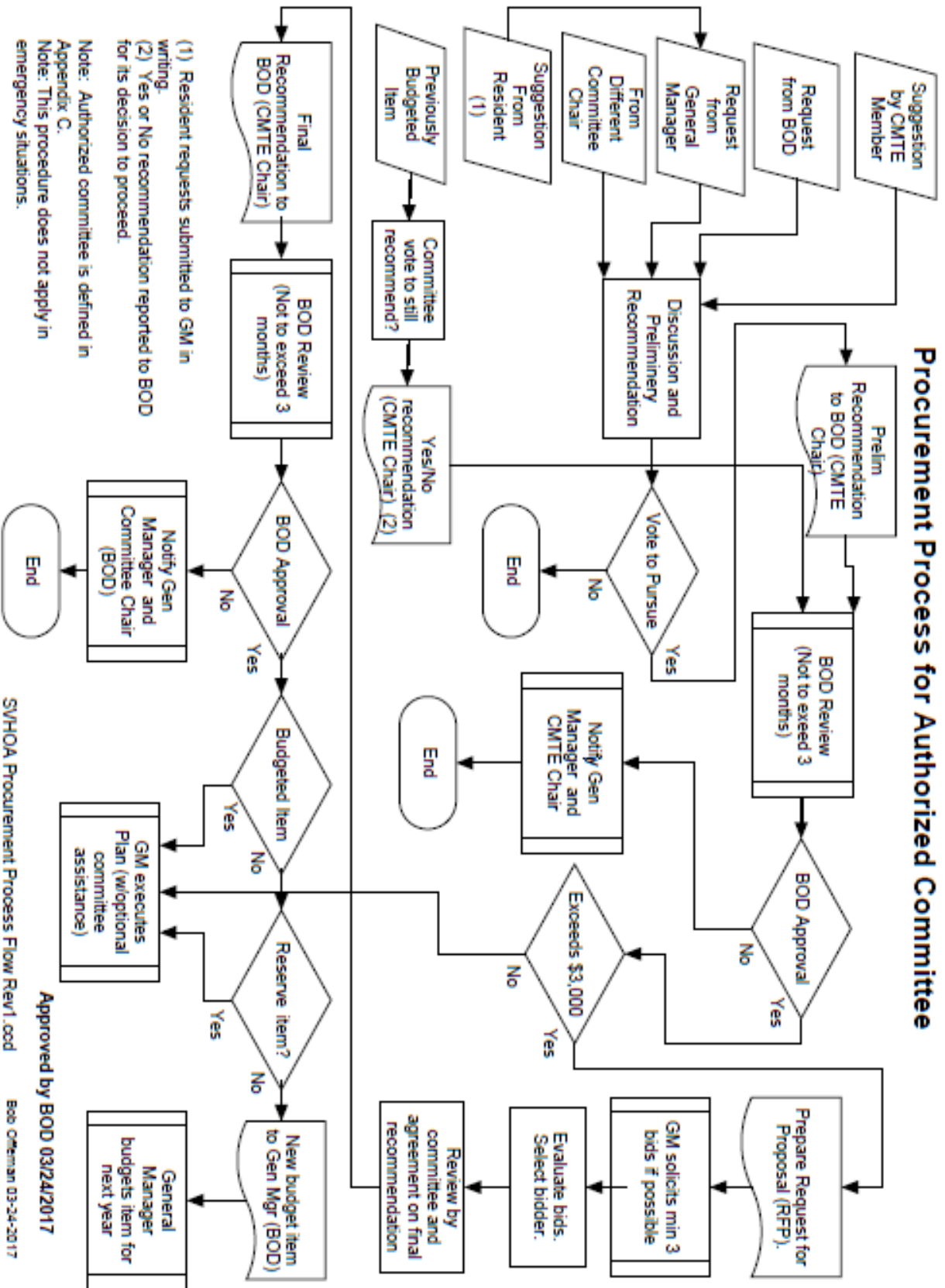
After obtaining Board approval to commence procurement, the following steps are to be followed:

1. A statement of work is to be prepared by the HOA committee responsible;
2. The SVHOA General Manager will bid out all requests for proposals;
3. An evaluation panel from the committee will rate all proposals both on the basis of costs and the contractor’s ability to perform the work required.
4. The evaluation panel will present its findings to the responsible committee for approval;
5. The committee will present their findings and recommendations in writing to the Board.

Note: Appendix “C” Procurement Process Flow Chart Applies to All Committees.

Approved by the Board of Directors on March 24, 2017

### Procurement Process for Authorized Committee



- (1) Resident requests submitted to GM in writing.
- (2) Yes or No recommendation reported to BOD for its decision to proceed.

Note: Authorized committee is defined in Appendix C.  
 Note: This procedure does not apply in emergency situations.

Approved by BOD 03/24/2017

# EXAMPLE

## OPERATIONS COMMITTEE REQUEST FOR PROPOSAL (RFP)

<ENTER PROJECT NAME HERE>

### **SYMPHONY VILLAGE AT CENTREVILLE HOMEOWNERS ASSOCIATION, INC.**

100 SYMPHONY WAY  
CENTREVILLE, MD 21617

410-758-8500

DATE

(Insert date of RFP release)

(Note that italicized text is for guidance and should be replaced with the text for your particular project. Also delete all italicized sample text).

#### **1. SUMMARY AND BACKGROUND**

The Symphony Village HOA manages the clubhouse and common areas of Symphony Village, a community of 395 home sites located in Centreville, Maryland.

Symphony Village is currently accepting proposals to (include a high level description of the project here).

#### **2. PROJECT PURPOSE AND STATEMENT OF WORK**

The purpose of this project is as follows:

This section should describe the overall purpose of the project, for example installing ceiling fans in certain rooms, painting interior of clubhouse, provide electrical surge protection for the facility.

Statement of Work:

This section should include a specific description of the work being put out to bid. It should include any specific design requirements, equipment or material requirements or preferences. It isn't necessary to specify a full bill of materials – only the essential items.

For example:

- The rooms to be painted including color, paint, type, finish and grade.
- The rooms in which fans will be installed, the method of controlling ceiling fans (wall switch/remote/pull cord), etc.
- The attributes of a replacement oven (single/double), convection or not, color, # burners)
- The suggested surge protector model and attributes

#### **3. PROJECT SCOPE**

Description of the research, planning, execution and follow-up aspects of the project, as applicable. Also a description, if appropriate, of where the bidder needs to make decisions regarding material and equipment.

For example:

- Recommend suitable kitchen range(s) that satisfy criteria.

Selection of appropriate unspecified equipment in support of the project. (e.g. size and cfm rating of ceiling fans for this application, choice of circuit breakers to tie surge protector to main electrical panel).

- Warranty service-is vendor needed to represent HOA in event of equipment.

#### **4. PROPOSALS GUIDELINES**

- Proposals must be signed by an official representative of the company submitting the proposal.
- If the proposal includes outsourcing or contract work, it must be clearly stated in the proposal.
- Costs included in proposals must be all-inclusive and include any outsourced or contracted work. Any outsourced or contracting work must include the name, address and description of the organizations being contracted.
- All key equipment and material provided in proposal must be defined by manufacturer, model and any other pertinent identifying information.
- Proposal must include the warranty provided by the bidder and also the manufacturer's warranty on key equipment included in the proposal.
- All costs must be itemized to include an explanation of all fees and costs, including breakdown of labor and material.
- Timeframe for completion of the project.

#### **5. TIMELINES**

Proposal Timeline:

- All proposals in response to this RFP are due no later (insert due date).
- Evaluation of proposals will be conducted from (insert start date) until (insert end date).
- If additional information is by any bidders during this window, all bidder(s) will be provided the same information.

Selection Timeline:

- The winning bidder will be selected no later than (insert due date).
- Contract negotiation with the winning bidder will begin immediately.
- Bidders who were not selected will be notified by (insert notification date).

#### **6. COSTS**

All costs must be itemized to include an explanation of all fees and costs, including breakdown of labor and material.

#### **7. BIDDER QUALIFICATIONS**

Bidders should provide the following credentials as part of their proposal:

- Current licenses/certifications required to perform the project.
- Confirmation that bidder is fully insured, including general liability and workman's compensation. Verification is required from selected bidder.
- If the contractor is not a former contractor to Symphony Village, please provide at least three relevant references.

#### **8. EVALUATION CRITERIA**

Your proposal will be evaluated on the following criteria:

- Overall suitability of the proposed solution(s) must meet the scope and needs described herein.
- Value and cost: Bidders will be evaluated on the cost and schedule of their solution(s) based on the work described herein, taking into consideration the equipment included in the bid.

- Proposal is complete and described in a clear and organized manner.
- Review of references for bidders who haven't previously worked at Symphony Village.
- Review of bidder's past performance at Symphony Village, for bidders who have previously worked at Symphony Village.



## APPENDIX D

### **Symphony Village at Centreville Homeowners Association, Inc.**

#### **Collection Policy for Assessments, Fines and Charges**

Resolution of the Board of Directors

WHEREAS the Board of Directors of the Association is charged with the responsibility of collecting assessments and related charges for common expenses from homeowners; and

WHEREAS from time to time homeowners become delinquent in their payments of these assessments and related charges, and fail to respond to the demands from the Board to bring their accounts current; and

WHEREAS the Board deems it to be in the best interest of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner, and further believes it to be in the best interest of the Association to refer these accounts promptly for collection so as to minimize the Association's loss of assessment revenue;

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Symphony Village at Centreville Homeowners Association, Inc. (the "Association") adopts the following policy and practice effective thirty (30) days after distribution to owners.

This document sets forth The Association's policy regarding the collection of assessments pursuant to the Association's Declaration of Covenants, Conditions and Restrictions and the Maryland Homeowner's Association Act.

The Board establishes the Association's fiscal year, January 1 to December 31, as the Regular assessment period. Monthly payments are due on the first day of each Month and are delinquent after 15 days.

1.0 Assessments in General. The Association has a duty to levy regular and special assessments sufficient to perform its obligations under the governing documents and Maryland Homeowner's Association Act. Regular assessments are levied annually and are payable during the year in equal Monthly installments.

2.0 Obligation to Pay Assessments. Each assessment or charge is an obligation of the owner at the time the assessment or other sum is levied. Each assessment or charge is also a lien on the owner's lot from and after the time the Association causes a Lien to be recorded among the County Land Records pursuant to the covenants and the Maryland Contract Lien Act.

3.0 Notice of Assessments. The Association will give the owners notice before any increase in the annual assessment or any special assessment. Notice will be sent by first-class mail to addresses as provided to the Association by the owner on the membership register as of the date of notice. It is the responsibility of each owner to advise the Association in writing of any mailing address changes. The Board of Directors may elect from time to time to provide additional periodic coupons or statements of assessments and charges, but lack of such coupons or statements does not relieve the owners of the obligation to pay assessments in a timely manner.

- 4.0 Designation of Agent. The Board of Directors may designate an agent or agents to collect assessment payments and administer this Collection Policy.
- 5.0 Due Date/Delinquency Date of Assessments. Unless otherwise specified by the Board, an assessment installment is due without demand on the first day of each Month for which it is due. An assessment or any portion thereof, is delinquent if it is not received as directed by the Board or its designated agent within 15 DAYS after it is due.
- 6.0 Charges on Delinquent Amounts. After 15 DAYS, past due, an assessment, or any portion thereof, that is delinquent shall incur a late charge of \$15.00 or 1/10 of the amount of the delinquent installment, whichever is greater. Collection charges, if any, incurred will also be added at that time.
- 7.0 Interest Charges. The unpaid balance of an assessment account shall bear interest from the date due in accordance with Article 11.1 (iii) of the Declaration as amended by the Third Amendment at 18% per annum, or the maximum permitted by law, whichever is less.
- 8.0 Interest and Collection Charges. Any costs and fees incurred in processing and collecting delinquent amounts, including, without limitation, late and interest charges, charges for preparation of delinquency notices or referral to collection, postage and copies, and attorney's fees and costs, shall become an additional charge against the owner and the owner's lot and shall be subject to collection pursuant to this Policy.
- 9.0 Application of Payments. Payments shall be applied first to the oldest balance due as provided in Article 6.5 of the Declaration, unless agreed in writing to the contrary.
- 10.0 Delinquency Notices. Owners delinquent 30 DAYS will be sent a Notice of Delinquent Assessment and intention to send to designated collection agent within ten (10) days. Failure to receive such letter will not prevent the owner's account from being forwarded for further collection action.

If the account is not brought current within forty (40) days then it will be turned over to the Association's contracted designated collection agent for collections according to state and federal fair debt collection laws. These collection procedures may include but not be limited to Notice of Intent to Create a Lien, Lien, Foreclosure, District Court lawsuit, Sheriff Sale of the Home, garnishment of wages and bank accounts, etc.

All attorney's fees, collection costs and court fees will be levied against the homeowner's account by designated collections agent upon transfer and become a part of the collectible debt.

All other expenses, interest, fees and charges incurred in the collection of a delinquent assessment shall be the sole responsibility of the property owner and be payable prior to the curing of delinquency status.

Once an account is forwarded to the collection agent, then all correspondence and payments must be sent through that agent until the account is current and file control is returned to the Association.

Good Faith Agreements to resolve delinquent assessments may be considered on an individual basis if submitted in writing to the Board of Directors through its designated collections agent.

11. Collection of Fines. Unpaid fines may result in a homeowner's account being turned over to the Association's designated collection agent for collection after a 10-day notification of intent to turn over to collections is mailed to the property owner.
12. Unless an account has been turned over for collection, owners shall make payments to Symphony Village and forward to the designated address on the monthly coupons.
13. Void Provisions. If any provision of this Policy is determined to be null and void, all other provisions of the Policy shall remain in full force and effect.

This resolution of the Board of Directors has been duly adopted by not less than a majority of the Board of Directors at the March 24, 2017 Board of Directors meeting.

Approved and Adopted by the Board of Directors on March 24, 2017

## **Project Closeout and Contractor/Vendor Performance Review-Instructions**

These forms are intended to accompany the Operations Committee Request for Proposal (RFP) form by capturing our experience with the contractor and the project itself.

The Contractor/Vendor Performance Review will be filed along with the RFP and a copy will be placed in the contractor file to be referenced and reviewed when the contractor makes future bids on a SV project. It will also be completed annually for vendors with multi-year contracts.

The Project Closeout Review will be useful as the SV historical documentation when generating similar RFP's in the future. The lessons learned will be noted on an annual basis into a master list.

Both review form are designed for signature by both the SV project coordinator, responsible committee chairman and the General Manager. This is to increase confidence that the evaluations include all relevant input.

### **Contractor/Vendor Performance Review:**

For the prime contractor/vendor and any subcontractors, circle a rating that best captures your evaluation of performance in each of the categories. For any rating less than 5 please provide an explanation. Include all pertinent comments that are important to remember for future consideration of the contractor/vendor. Your overall rating of the contractor/vendor can include subjective factors. If so, please explain the comment area.

### **Project Closeout Review:**

Please provide planned vs. actual start date, completion date and cost.

Please provide a straightforward evaluation of what went right on the project as well as what we or the contractor, could have done better.

In summary, please provide feedback as to whether there were any experiences/lessons learned on this project that might be valuable in managing future projects. Enter your feedback at the bottom of the form.

**Contractor/Vendor Performance Review**

**Contractor/Vendor Company Name:** \_\_\_\_\_

**Contractor Manager's Name:** \_\_\_\_\_

**Project Sub-contractors:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**Rating by Category:**

**Category- Please explain if rating is less than 5**

**Please rate 1-10 (10 is the highest)**

Responsiveness and Cooperation

Reliability

Commitment to Maintaining Contract Terms

Commitment to Maintaining Schedule

Commitment to Maintaining Budget

Quality of Work – Subcontractor/Vendor

Overall Rating – (Average of individual ratings above)

**Overall/Additional Comments:** (Continue on back of form if necessary)

Project Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_

General Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Committee Chairperson: \_\_\_\_\_ Date: \_\_\_\_\_