



FOREST PARK HOMEOWNERS ASSOCIATION
P. O. Box 278
Poca, WV 25159
Business Registration # 1037-3299
Phone: 304-759-2130



****** IMPORTANT NOTICE - PLEASE READ ******

To: All Forest Park Homeowners
From: Forest Park Homeowners Association Executive Board
Re: **Annual Dues Collection Procedure**

To those residents who have faithfully paid their dues, we sincerely appreciate your faithfulness and thank you!

Unfortunately, in past years we have had a difficult time in collecting annual dues from some residents despite our best efforts.

Therefore, we have decided to join the WVOHOA (West Virginia Organization of Homeowners Associations) so that they may advise us on what legal actions are available for addressing delinquent and non-payers while staying within the confines of the law.

As the elected body to administer this Association's business properly, we want to be assured that we are acting in good faith on behalf of the subdivision and therefore have taken additional steps to retain a law firm that specializes in these matters. This law firm will provide oversight, professional advice and legal security for all homeowners within the subdivision.

Our initial review with them has been beneficial and they have advised on what procedures we should pursue going forward to ensure that paying dues is a "community shared responsibility" and not just the responsibility of those who fulfill their obligation by paying their dues annually as required. In making prompt payment of dues a "community shared responsibility", our outstanding balance can be significantly reduced while still being able to maintain our subdivision adequately with a budget the board should be able to depend on every year.

The updated procedure for collecting dues are as follows:

- 1) In February of each year the due amounts are approved, and the official Electronic/Paper statements are issued by the end of February.
- 2) The first reminder letter/E-mail will be sent out "Thirty (30) days" after the issuing of the statement, at which point you may contact the Board of any issues within "Ten (10) days".
- 3) The second letter/E-mail will be sent out "Fifteen (15) days" after the first reminder.
- 4) The Third and FINAL letter/E-mail will be sent "Thirty-One (31) days" after the second reminder and will be the attempt we make in contacting you. If there is no communication from the offender, we will proceed to a lien. **This is a total of 61 days to pay the dues and or make alternative arrangements with the board.**

Please Note: In the event no payment or alternative arrangements are made, we will defer to the attorneys and the associated legal fees will be added to the dues and can go as far as a foreclosure on the property.

Thank you for your co-operation

Sincerely, FPHOA Executive Board

1/19/2023

ADDENDUM TO COLLECTION PROCEDURES

- 5) The Third and FINAL letter/E-MAIL will be sent 30 days after the 2nd reminder in an attempt to make contact with the homeowners. If no communication is attempted via verbal, written or electronic, the Board will proceed to place a lien on the property and the homeowner will be assessed fines of \$50.00 for filing fee and releasing of the lien. Liens will be released after total payment is made the first business day of each month. This expense will also cover the travel expense for the individual to the courthouse for reimbursement at the set government rate per mile. The Board will proceed to take the issues to the magistrate for judgment and forward to our legal counsel for advice and/or collection. If the homeowner fails to honor any commitment on payment, the board will proceed with the lien procedure as stated. ALL EXPENSES accrued by these actions will be assessed to the homeowners according to the Bylaws.**

(Adopted February 2021 Annual Meeting)

ARTICLE 28: Lawyer Fees and Legal Fees Recovery Judgements FPHA is entitled to collect all attorney fees from the homeowner that is involved in any Delinquencies, Non-Payment, Servitude, Foreclosure, Collections or any other matter which may arise, that would require FPHA to seek council through any attorney.