

SEAL BEACH MUTUAL NO. SEVENTEEN

Mutual Operations

Collections

The effective and prompt collection of assessments (sometimes referred to as carrying charges) is critical to the running of our Association. Only through the collection of these assessments can we maintain and, hopefully, increase the value of our property. The policies and practices of Seal Beach Mutual No. Seventeen (the "Association") with regard to the collection of delinquent assessments are as follows:

1. Assessments are due on first (1st) day of each month and are delinquent if not received by the 15th day of each month. If a special assessment is necessary, you will be notified of the due date therefor.
2. In the event an assessment is not received within fifteen (15) days after it is due, the owner will be required to pay to the Association a late charge in the amount of ten percent (10%) of the delinquent assessment or ten dollars (\$10.00), whichever is greater. Also, if an assessment is not paid within thirty (30) days from the day that it was originally due, interest at the rate of ten percent (10%) per annum will be added to the owner's account each month.
3. If payment is not received within forty-five (45) days after the original due date of the assessment, the matter will be turned over to the Association's attorneys, or to a trustee, for further handling. Upon receipt from the Association of such a matter, the Association's attorneys, or the trustee, will send a letter notice by certified mail demanding immediate payment and stating that a Notice of Assessment (lien) may be recorded if the payment is not received within forty-five (45) days from the date of the letter or thirty (30) days after receipt of the letter, whichever occurs later.
4. If the payment is not received as set forth in the above-described letter, and after approval of the board of directors in accordance with California law, a lien will be recorded with the Orange County Recorder's office. Within ten (10) days after the lien is recorded, the lien will be sent to the owner by certified mail.
5. In the event the payment is not received within thirty (30) days after the lien was recorded, and after approval of the board of directors in accordance with California law: (a) if the Association's attorneys are handling the matter, a Complaint will be filed in the Superior Court for all appropriate causes of action (including to foreclose on the lien), at the earliest date allowed by law (once the matter is filed in the Superior Court, the case is handled as any other lawsuit); (b) if the matter is being handled by a trustee, the trustee will proceed with a non-judicial foreclosure in accordance with California law, at the earliest date allowed by law.
6. The case will be dismissed, or the foreclosure action will be terminated, and the lien released, only upon payment of all delinquent maintenance assessments, special assessments, late charges, lien fees, any and all collection costs incurred by the Association, attorney's fees, attorney's costs, and any other charges against the property.

Document History

Adopted: 15 DEC 2022 Amended:

Keywords: Collection

(DEC 2022)