

KSMA LATE ANNUAL HOA DUES PAYMENT PROCESS:

FORMALIZING THE PROCESS:

We'd like to formalize a process for addressing overdue accounts that has been more ad hoc until now. Susan Caney-Peterson, Board President, would like Robin Curtin, Bookkeeper, to email Adam Springer, Attorney, and Susan Caney-Peterson, Board President, each September with a list of Past Due Homeowners who are 1 year, or more, past due. Adam Springer would then send a Demand Letter to the Past Due Homeowners to pay or that a lien will be placed on their property by a certain date. Adam Springer would also email a copy of the Demand Letter to the Bookkeeper and Board President. As we've learned, sometimes that notice alone is sufficient for action.

After that, if not paid, we would use this attorney for actual placing of the lien. Please see the Attorney Process below. We have been using Adam Springer to send Demand Letters since 2024.

Adam Springer
PO Box 1987
380 SW 2nd St
Newport, OR 97365
springer@yaquinalaw.com
www.yaquinalaw.com

WHAT BOOKKEEPER DOES RE PAST DUE ACCOUNTS:

Mid-February every year I prepare and mail out the KSMA Annual HOA Dues Invoices, dated March 1st and due by March 31st. Any homeowner who is past due also receives a Past Due Statement along with copies of their open invoices. Finance charges and Late Fees are assessed on past due invoices. The first Late Fee of \$25 for the year is assessed on May 1st and the second Late Fee of \$25 is assessed on July 1st along with additional Finance Charges that have accrued.

WHO WE NEED ACTION ON:

This is a sample of what is emailed to the Attorney, and Susan Caney-Peterson (Board President) to keep them up to date on Past Due Homeowners:

"Below are the Past Due Homeowners who are one or more years past due along with their contact information. After several mailings to them, none of the mailings have been returned by the post office." (List the Past Due Homeowners; amount owed, their property details and any contact information we have for them - mailing address, phone, email address.)

ATTORNEY PROCESS – Portion of Demand Letter that Adam Springer mails out:

Demand is hereby made for full payment of the balance stated above within 30 days of the date of this letter. Additional interest and/or late charges may accrue in the meantime. If such payment is not made within that time, the following actions may be taken:

1. A title report for your lot will be ordered;
2. A Notice of Claim of Lien will be recorded in Tillamook County;
3. A copy of the Notice of Claim of Lien will be mailed to you, and any mortgagee of your lot; and
4. Each of these actions will result in additional charges and attorney fees being added to your account.