

Ole Windmill Estates Owners Association

Dues and Collection Policy

(Adopted by the Board at its August 1, 2006 Meeting)

The Board of Directors (the "Board") of Ole Windmill Estates Owners Association ("OWE") has taken a firm stance on collection of late assessments and fines. This Collection Policy is not intended to punish homeowners who pay Yearly Assessments late, but to be fair to the homeowners who pay their Yearly Assessments on time. If late Yearly Assessments are allowed to accrue, homeowners who pay in good faith are forced to subsidize those who do not pay. Either Yearly Assessments will have to be raised, or OWE cash reserves will dwindle. OWE as a whole will suffer financially because of the irresponsibility of a few.

No homeowner is exempt from liability for his, her or their contribution toward the expenses of OWE. The Yearly Assessments must be paid as indicated on the invoice and on time. Should a homeowner disapprove of the way OWE is being managed, the homeowner does not have the right to withhold his, her or their dues. Article IX of OWE's By-Laws specifically prohibits such action.

An unpaid \$200 Yearly Assessment can become a \$2,000 obligation within one year with interest, late charges, and legal expenses if there is no attempt from the homeowner to rectify the situation. It is important that homeowners completely understand the collection procedures. Therefore, please review the following Collection Policy:

OWE retains Vaughn, Winton & Clark^{PLLC} (the "Company") to collect Yearly Assessments (current and delinquent), late fees and interest. The Company will not accept personal checks or cash delivered by mail or in person. Cashier's checks and / or money orders will be accepted, if payable to OWE.

- A homeowner may request a receipt for the payment of Yearly Assessments in writing and OWE will provide a receipt.
- Those homeowners who have not paid Yearly Assessments by the due date will be sent a Late Notice. It is the homeowner's responsibility to allow ample time for the mailing, receipt and posting of payments on or before the due date. In all cases, every homeowner is responsible for payment within the time specified on the invoice, regardless of circumstances.
- A homeowner may dispute any Late Notice if the homeowner submits a written explanation ("Explanation Letter") to the Board stating the reason for his, her or their dispute within fifteen (15) days of the postmark of any Late Notice. If the homeowner submits an Explanation Letter in a timely fashion, the OWE Board will respond, in writing, to the homeowner within fifteen (15) days of the date of the postmark of the homeowner's Explanation Letter.
- Any homeowner who is unable to pay Yearly Assessments is entitled to make a written request for a payment plan to be considered by the OWE Board. A homeowner may also request to meet with the Board in executive session to discuss a payment plan. The Board will consider payment plan requests on a case-by-case basis and is under no obligation to grant payment plan requests.

OWE Dues and Collection Policy

- The total amount due OWE *MUST* be paid in full to reinstate the delinquent homeowner and prevent legal action. Payments will be applied in the following order:

- Yearly Assessments
- Special Assessments
- Late Charges
- Interest
- Legal Fees and Costs
- Fines
- OWE uses the following address for all correspondence with the homeowners:

PO Box 720154
Oklahoma City, OK 73172

- OWE intends to enforce collection of all amounts due it by any and all methods available at law for the enforcement of contractual obligations or liens, including but not limited to judicial and non-judicial foreclosure of liens and court action against the person or persons responsible for the amounts owed. The Board reserves the right to use any other lawful means which may now or hereafter be available for the collection of amounts due OWE.

Schedule of Actions

Please review the schedule below regarding payment of Yearly Assessments and approximate dates of Collection Policy enforcement actions:

- January: Yearly Assessment invoices are sent to each homeowner in OWE.
- February 28: Yearly Assessments are due in full on or before this date each year.
- March 1: Penalties and interest will accrue from this date each year as set out in Article XI of OWE's By-Laws.
- April 1: Late Notices will be sent to delinquent homeowners on this date each year.
- May 1: Demand Notices will be sent to delinquent homeowners on this date each year.
- June 1: Default and First Notice of Lien Letters will be sent to delinquent homeowners on this date with a due date of June 30 each year.
- July 1: Second Notice of Lien Letters will be sent to delinquent homeowners by first class mail and Certified Mail Return Receipt Requested on this date each year. This is the final opportunity for the homeowner to make payout arrangements prior to lien filing.
- August: Statements of Association Lien will be filed in the Office of the County Clerk of Oklahoma County, Oklahoma, including CMRRR costs and filing fees each year. Once the Lien has been filed, the homeowner will be sent a copy of it.
- November: At its regularly scheduled meeting the Board will determine whether to file a small claims action on its behalf or to forward a delinquent account to Vaughn, Winton & Clark^{PLLC} for collection.
- December: Accounts will be forwarded to Vaughn, Winton & Clark^{PLLC} for appropriate legal action.