

**Island Court Venice Condominium**  
**A Resolution of the Board of Directors**  
**Establishing Procedure for the Collection of Delinquent Accounts**

**Whereas** the Board of Directors (hereinafter "Board") of Island Court Venice Condominium, (hereinafter "Association") is responsible for the operation and maintenance of the Association and Condominium property; and

**Whereas**, the Association has contracted with RealManage, LLC, Sarasota Branch, (hereinafter "Agent") to provide management services as Association's agent; and

**Whereas** the Agent's Postal address is RealManage, LLC, Sarasota Branch – (formerly Lighthouse Property Management), ~~333 S Tamiami Trail, Suite 217, Venice, FL 34285.~~  
Now 460 N. Tamiami Tr., Osprey, FL 34229

**Whereas** the Board has determined that there is a need to enact uniform policies regarding collections of delinquent accounts to ensure proper collection of assessments from all unit owners and to do so in an objective and efficient manner.

**NOW, THEREFORE, BE IT RESOLVED** by the board as follows:

**SECTION I**

THAT all assessments (including special assessments) or assessment installments are due on the 1<sup>st</sup> day of each Quarter and if not received by the Agent on behalf of Association at the address of Agent by the 10<sup>th</sup> day after the date when the assessment or assessment installment is due shall be deemed delinquent as authorized by the Association's Declaration Page 18, section 9.6 and the Bylaws, page 10, Section 6.7, assessments not paid when due shall bear interest from the due date until paid at the rate of 18% per annum together with a one-time Late Fee, the greater of 5% of the unpaid amount or \$25.00 plus any costs of collection from the date when due until paid.

**SECTION II**

THAT in addition to the above fees and costs and according to the Management Agreement between the Agent and the Association, an Administrative Fee will be added to each delinquent unit owner for the processing of each delinquent notice and turn over to Legal Counsel: \$15.00 for First Notice (Late Notice), \$30.00 for Second Notice (Intent to Lien Notice) and \$45.00 to turn over to Legal Counsel (Legal Counsel Authorization). These additional fees shall be paid to the Agent by the Association in accordance with the Management Agreement. The fees will be reimbursed to the Association upon receipt of payment from the unit owner. The Agent may amend these fees to cover administrative costs annually, as it deems necessary.

**SECTION III**

THAT when any assessments or assessment installments are not received by the Agent on behalf of Association at the address of Agent by the 10<sup>th</sup> day after the date when the assessment or assessment installment was due, the unit owner will receive, by regular USPS mail and Email, a Notice indicating that there is still an outstanding balance. In accordance with the Associations Bylaws, interest will be added from the 1<sup>st</sup> day of the month through the 10<sup>th</sup> of the Quarter together with a Late Fee, the greater of 5% or \$25.00. In accordance with the Management Agreement with the Agent the \$25.00 Administrative Fee will be added to each delinquent account as a cost to prepare the First Notice.

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#### **SECTION IV**

THAT when any assessments or assessment installments are not received by the Agent on behalf of the Association at the address of the Agent by the 24<sup>th</sup> day after the due date, the unit owner will receive, by regular USPS mail and Email, a letter stating that the unit account will be turned over to Legal Counsel if payment is not received within 15 days. An additional 14 days of interest will be added to the account in accordance with the Management Agreement and \$30.00 will be added to each delinquent account as a cost to prepare the Second Notice (Intent to Lien).

#### **SECTION V**

THAT the Board of Directors authorizes the Agent to turn over all delinquent accounts with assessment or assessment installments not paid within forty (40) days from the date when due. The Agent will notify the President and Treasurer, via email, with copy to the Property Manager and his/her Administrative Assistant of the accounts still not paid by attaching an Aged Owner report and advising that these accounts will be turned over to Legal Counsel.

#### **SECTION VI**

THAT In accordance with the Management Agreement with Agent, the delinquent account will be turned over to Legal Counsel. The Agent shall email a ledger for each delinquent account to the Association's Legal Counsel, with a copy to the Association's President, Treasurer, Property Manager, and his/her Admin Assistant. The Agent will instruct Legal Counsel to prepare a Collection Notice and notify the delinquent unit owner, by USPS Certified Mail or Email with Request Delivery Receipt, that the assessment, together with all the costs and fees as set forth above, must be paid within 30 days or a claim of lien will be filed. If payment not received by the 30<sup>th</sup> day as stated on the Legal Counsel's initial Collection Notice the claim of lien will be filed and Legal Counsel will notify the delinquent unit owner of the recording, and advise such owner, by USPS Certified Mail or Email with Request Delivery Receipt, that the Association intends to foreclose the lien and collect the unpaid assessment, together with all the costs and fees if delinquent account not paid within 30 days. Agent is hereby authorized to execute on behalf of the Association the claim of lien, a retainer agreement with the Association's Legal Counsel to pursue collection, and any other documents or instruments that may be necessary pursuant to the claim of lien and foreclosure proceedings.

#### **SECTION VII**

THAT once the delinquent account has been turned over to Legal Counsel, it will be Legal Counsel's responsibility to contact the Board Treasurer and or President to request further action. A copy of the request will be delivered to Agent, as well.

#### **SECTION VIII**

THAT the Board of Directors or its designated officer may direct Agent or the Association's Legal Counsel to stop collection proceedings against any unit owner on a case-by-case basis. The decision to stop or hold collection proceedings against any unit owner shall be documented in the Associations Meeting Minutes and forwarded to the Agents collections department to be filed on the unit owner's account.

#### **SECTION IX**

THAT the Board of Directors hereby authorizes Agent to write-off balances under \$20.00 at the end of each fiscal year.

FS 12/20/23

Frank Salitel

Name

President of the Association *ICV*

12-20-23

Date