

When recorded please mail to:

**Board of Directors  
Flagstone Creek Estates Homeowners Association  
785 Pebble Creek  
Rockwall TX 75032**

[bod@flagstonecreek.org](mailto:bod@flagstonecreek.org)

DATE/TIME: November 2, 2020 Pages: 4

## Caption Heading:

### *HOA Collection Policy*

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TRUE AND CORRECT COPY OF  
ORIGINAL RECORD FILED IN  
ROCKWALL COUNTY, TEXAS  
SHELI MILLER  
ROCKWALL COUNTY CLERK

**UNANIMOUS CONSENT TO ACTION  
BY THE BOARD OF DIRECTORS  
FLAGSTONE CREEK ESTATES HOMEOWNERS ASSOCIATION**

785 Pebble Creek,  
Rockwall, TX 75032

**HOA Collection Policy**

**Effective November 2, 2020**

The undersigned, constituting all the members of the Board of Directors of Flagstone Creek Estates Homeowners Association, a Texas non-profit corporation, here by take the following action in writing at a duly called meeting of the Board.

WHEREAS Article IV, Section 4.02 of the Declaration of Covenants, Conditions and Restrictions for Flagstone Creek Estates Homeowners Association provides the Board of Directors with the authority to set forth collection policies. The Board has adopted the rules below pertaining to the Collection of Assessments, Past Due Fees and/or Fines and the option for Homeowners to use Alternate Payment Option.

The purpose of this rule is to ensure the timely and fair collection of Assessments to ensure the Association has the funds necessary to provide for the management, maintenance, and care of the areas of association responsibility.

The scope and intent of this resolution is to apply uniformly to all members of the Association.

The actions of this policy regarding collection of assessments owed the community are as follows:

RESOLVED, that the Flagstone Creek Estates Homeowners Association Board of Directors shall afford homeowners the opportunity to initiate a time-payment plan, "Alternate Payment Plan", in order to accommodate the payment of debt to the Association, specified in writing and mutually agreed to by the homeowner and Flagstone Creek Estates Homeowners Association Board of Directors

***Requirements for Members to Elect Alternate Payment Plan - Notification***

- a) During the period between January 1<sup>st</sup> and January 31<sup>st</sup> of each year, Homeowners may notify the Flagstone Creek Homeowners Association Board of Directors in writing by signing the "Alternative Payment Plan Agreement" during the election period to either pay current or past due amounts assessed by the HOA Treasurer.
- b) HOA Treasurer will sign and file agreement
- c) If the homeowner does not notify the HOA Board as in a) above, of their election to use the Alternate Payment Plan before February 1<sup>st</sup>, he/she is bound by the governing documents for payment as outlined in the governing documents



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### ***Alternate Payment Plan Terms***

- a) The Principle amount and Fees will be due and payable in equal monthly installments as outlined in the Alternate Payment Plan Agreement on the 1<sup>st</sup> day of each month beginning February 1<sup>st</sup> and ending on April 1<sup>st</sup> of the year.
- b) Homeowners (Debtor) must make 3 consecutive monthly payments to the Association as outlined in the Alternative Payment Plan Policy to Flagstone Creek Estates HOA, 785 Pebble Creek, Rockwall, TX 75032
- c) If Homeowner defaults by failing to pay the total of Principal and Fees by April 1<sup>st</sup>, he/she will begin incurring administration fees in addition what was due as outlined in the Alternative Payment Plan, as stated below in actions of **Collection Actions by HOA**

### **Collection Actions by HOA – Alternate Payment Plan**

**15 days** after the monthly installment due date, a certified notice is sent to the homeowner and an Administration fee of **\$25** is assessed by the Treasurer

**45 days** after the monthly installment due date, a certified notice is sent to the homeowner and an Administration fee of **\$50** is assessed as by the Treasurer (\$75 due)

**60 days** after the monthly installment due date, an "Intent to Lien" notice is sent again via certified mail to the homeowner and will include an "intent to lien" fee of **\$75** assessed to the homeowner's account by the Treasurer (\$150 due)

**75 days** after the monthly installment due date, a lien is recorded with the Rockwall County Recorder, a copy is sent to the homeowner and a lien recording fee of **\$100** is assessed to the homeowner's account by the Treasurer (\$250 due)

**90 days** after the monthly installment due date, an "Intent to pursue legal action" notice of the total amount due plus an "Intent to pursue legal action" notice fee of **\$200** is assessed to the homeowner's account by the Treasurer (\$450 due)

Further collection & legal action will be taken as necessary, including, but not limited to: turning account over to 3rd Party Collection Agencies & Law Firms, default judgment, summary judgment, garnishment of wages, or foreclosure pursuant to state Statutes and Declaration of Covenants, Conditions and Restrictions for Flagstone Creek Estates Homeowners Association.

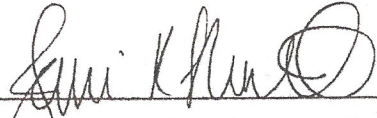
Payments will be applied to an account as follows (according to Texas State Law):

- Past Due Assessments*
- Late Charges*
- Collection Fees/ Recording Fees*
- Attorney Fees/Costs*
- Fines*

RESOLVED, that the Flagstone Creek Estates Homeowners Association Board of Directors shall not consider waiver of late fees, collection fees or attorney collection fees incurred on an account where the assessment was not paid in accordance with the Assessment Collection Policy through no fault of the Association or its Agent.

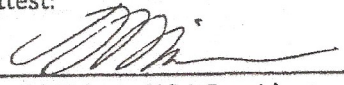


IN WITNESS, WHEREOF, the undersigned have executed this consent as of this 2nd day of November, 2020. I hereby certify that the above resolution(s) were duly adopted by unanimous consent by the Flagstone Creek Estates Homeowners Association Board of Directors on the above date.

  
\_\_\_\_\_  
Jami Schwartz, HOA Secretary Treasurer

The undersigned officer hereby certifies that the foregoing instrument has been signed by the Secretary of the HOA.

Attest:

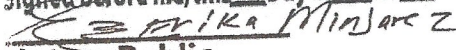
  
\_\_\_\_\_  
David Nelson, HOA President

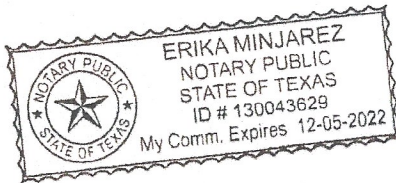
or

\_\_\_\_\_  
Phil Goodwin, HOA Vice President

State of Texas  
County of Rockwall

Signed before me, this 2 Day of Nov, 2020

  
**Notary Public**



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