

Bella Sera Community Association Regular and Special Assessment Policy

1.	Purpose	Bella Sera Community Association (Association), as directed in its Governing Documents, is responsible for the administration of the Association's Regular and Special Assessment Policy.
2.	Scope	<p>The Association's funding through Regular Assessments covers its Operating, Capital Reserve and Board Reserve expenses.</p> <p>Special Assessments are initiated by the Association's Board of Directors when an event(s) occurs requiring funding beyond the Operating, Capital and Board Reserve budgets.</p> <p>Special charges occur from guest suite rent, access fobs sales and in the case of owner obligated repair or replacement due to common area damage.</p>
3.	Definitions	<p>For purposes of this policy, unless otherwise stated, the following definitions shall apply:</p> <p>Association: Bella Sera Community Association</p> <p>Regular Assessment: Monthly Dues</p> <p>Board: Board of Directors</p> <p>Unit: Bella Sera residential and office unit</p> <p>Unit Owner: Bella Sera residential and office unit owner</p> <p>Member: Unit Owner and Member of the Bella Sera Community Association</p> <p>ACH: Automated Clearing House</p> <p>Common Areas: Exclusive of studs-in owner property</p> <p>Limited Common Areas: BSCA property for the use of fewer than all of the Owners, invitees and guests of the Owners.</p>

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4.	Policy Guidelines	<p>It is the duty of the Association to provide for the safe and sound operation of the common area property located at 4500 Bob Billings Parkway in Lawrence Kansas. According to the Association Declaration and Bylaws this includes the duties to improve, maintain and repair the Common Areas and Facilities and replace items therein when necessary. (See Reference 1)</p> <p>The Board of Directors is required to evaluate the operational and capital preservation needs of the common area property and approve a budget, funded through monthly dues and if needed, special assessments. (See Reference 2)</p> <p>The Association's Property Manager, according to its contract with the Association, annually submits a recommended Operations, Capital and Board Reserve Budget for Board review and approval.</p> <p>At the Association's Annual Meeting, the Board presents the upcoming year's approved annual budget, projected monthly dues and if needed and known, any special assessments.</p> <p>After the Annual Meeting the meeting, meeting minutes are distributed via email and posted on the Association's official website.</p> <p><u>Calculation and Collection of Monthly Dues</u></p> <p>According to the Association's Declaration and Bylaws, Monthly Dues are based on a Unit's percentage interest in the Common Areas.</p> <p>Invoices are emailed to all Unit Owners on the 25th of the month for the next month's dues. Invoices disclose the due date, amount due and acceptable payment methods.</p> <p>Monthly Dues are payable to the Association on or before the 10th of each month.</p> <p>Unit Owners are encouraged to pay monthly dues through electronic ACH or by check. Prepaying dues is acceptable.</p> <p>Payments may be mailed directly to:</p> <p>Bella Sera Community Association ATTN: HOA Manager 4500 Bob Billings Parkway Unit 118 Lawrence, Kansas 66049</p> <p><u>Calculation of Special Assessments</u></p> <p>According to the Association's Declaration and Bylaws, Special Assessments are made equally upon each Unit Owner.</p>
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Special assessments are due as specified on the notice of the special assessment.

Payment of a special assessment can be mailed directly to:

Bella Sera Community Association
ATTN: HOA Manager
4500 Bob Billings Parkway
Unit 118
Lawrence, Kansas 66049

Collection and Consequences of Delinquent Monthly Dues and Special Assessments

Monthly dues or special assessments are considered past due on the 10th of the month following the month dues or a special assessment payment is due.

The Association's monthly Financial Statement Aging Receivables report is the source document used to identify outstanding dues or special assessments.

The Association's Property Manager notifies in writing the Unit Owner of past due monthly dues or special assessments, including any assessed late fees or lien filings. The following chart reflects the Board-approved procedure.

Aging Receivables Category	Send Letter to Owner	Charge Late Fee	Send Invoice including Late Fee	File Lien
1-30 days	YES	NO	NO	NO
31-60 days	YES	10% of the outstanding balance due - minimum \$100	YES	NO
61-90 days	YES	10% of outstanding balance due - minimum \$100. Late Fee charged for every month account is past due.	YES	NO
>90 days	YES Certified	10% of outstanding balance due - minimum \$100. Late Fee charged for every month account is past due.	YES	YES

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Late Fees

If the Owner is notified that a payment is past due and the Owner has already sent in the payment, the Owner can ignore the letter and/or notify the HOA Manager that the payment has been sent.

If an Owner fails to maintain an expected payment schedule because of unforeseen circumstances, the Board must be informed immediately by the Owner of his/her plan for payment.

The Owner must stipulate that all outstanding payments and late fees will be paid within 90 days. Outstanding balances and late fees will accumulate for each month the balance due is not paid.

A lien will be filed according to the BSCA Regular and Special Assessment Policy for any outstanding balance greater than 90 days past due.

Lien Filing

A lien will be filed for a past due balance greater than 90 days.

After an original lien is filed, the lien will be re-filed on a quarterly basis with an updated outstanding balance owing until the past due balance is paid.

All associated legal costs and lien filing and lien release fees are to be paid by the Unit Owner.

Upon payment of all past due amounts, accumulated late fees and all legal expenses associated with the collection of delinquent assessments and late fees, the lien will be removed.

Liability for Unpaid Monthly Dues and Late Fees

Owners are not exempt from liability for unpaid regular assessments and late fees by waiving the use of enjoyment of any of the Common Areas and Facilities, Limited Common Areas and Facilities or by the abandonment of the Owner's Unit.

Payment, Collection and Consequences of Delinquent Special Charges

Charges for services such as guest suites and fob replacements are to be paid in advance.

Replacement costs or damage to Association property are paid according to the specific circumstances.

Depending on the situation, special charges are delinquent a month after the payment is due, as noted on the Association's invoice and reflected on the Association's monthly Financial Statement Aging Receivables report. The following chart reflects the Board-approved procedure.

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5.	References	<p><u>Reference 1</u></p> <p>Declaration Article Three Community Association Section 3 (a-h).</p> <p>Bylaws Article II Board of Directors, Section 2. Powers and Duties. (b) (i-viii).</p> <p><u>Reference 2</u></p> <p>Declaration Article Three Community Association, Section 14, Levying Assessments (a-g).</p> <p>Bylaws Article V Operation of the Property, Section 1. Common Expenses and Charges. (b) Assessments.</p> <p>The Kansas Uniform Common Interest Owners Bill of Rights Act Section 19 (a and b).</p> <p>All regular assessments, the authority of which to levy is granted to the Community Association or the Board of Directors by the Declaration, these Bylaws or as otherwise permitted, shall be paid by the Owners to the Community Association as set forth in the Declaration, Bylaws, or lawful resolution of the Board of Directors authorizing such assessment. Bylaws Article V Operation of the Property Section 1 (b) Assessments.</p> <p>All other assessments and separate charges made against an Owner, excluding, however, fees and charges assessed against an Owner for his failure to fulfil his obligations under the Declaration, Bylaws, or Rules and Regulations and except as set forth in the Declaration shall be made equally upon each Owner. Bylaws Article V Operation of the Property Section 1 (b) Assessments.</p>
6.	Approval	The Board of Directors gives final approval of this policy.
7.	Approval Dates	This policy was approved on: October 18, 2017 This version takes effect from: October 18, 2017 This policy will be reviewed by: Octobert 2018
9.	Policy Owner	BSCA Board of Directors