

Collections / Liens / Judgments / Foreclosures

Statements for annual assessments are mailed in the first week of January. Payment in full is due by June 30 of each year. A payment reminder statement will be mailed to all owners with an unpaid balance the first week of June, prior to the deadline. Statements are mailed (regular mail) to the Owner's address of record, unless HCA has been notified of a different address.

1. Any balance not paid by June 30 become "Delinquent".
2. Delinquent accounts will be charged 12% interest on July 1 of each year. Interest is applied to the total unpaid balance which may include various fees.
3. An administrative charge of \$48 will be added to any owner account with a balance over \$100 on July 1.
4. At the end of July, certified letters will be mailed to notify delinquent owners with a balance over \$100. of HCA's "Intent to file a Lien" with the county and/or "Complaint" with the local magistrate court.

Note: A "Lien" is a claim against the Property as security for the payment of a debt.

A "Complaint" seeks a "Judgement" or legal decision by a Judge against the Owner.

5. Additional Fees for filing documents with the county and local magistrate courts:
 - a. \$25 per Lien filed on property of owners with delinquent balance over \$100
 - b. \$80 per Complaint filed against owner with delinquent balance over \$100
6. If an owner with a delinquent balance over \$100 signs a Payment Plan with a minimum monthly payment of \$100, then the Association will not initiate any legal action with a court – as long as the Payment Plan is in force.
 - a. Monthly payments for Payment Plans are due on the 5th of each month.
 - b. There is a \$25 fee for late monthly payments.
 - c. /f a monthly payment is not received by the 15th of the month, the Association will cancel the Payment Plan and proceed with collection actions, which may involve processing a Complaint in a local Court against the Owner.
 - d. HCA's Finance Director and/or the Executive Director may approve a Payment Plan of \$100 or more per month.
 - e. A Payment Plan with a monthly payment under \$100 must be approved by the Executive Director.
7. Any delinquency case may be turned over to HCA's attorneys at the discretion of the Association's Executive Director. Based on legal advice, an analysis of the property, and considering known circumstances regarding the delinquency, the Executive Director will make the final decision on whether to initiate a foreclosure proceeding on any property. The owner could be held liable for any resulting legal fees. Prior to initiating any foreclosure, HCA will attempt to notify the Owner of the seriousness of the delinquency by generally acceptable communication methods, including certified letters and when feasible -phone calls.
 - a. Foreclosure action will not be initiated unless the delinquency is two years or more
 - b. Foreclosure will not be initiated unless the delinquency exceeds \$1,000.
 - c. If HCA gains title to property as a result of Foreclosure, the following will apply:
 - . HCA will not be liable for any reimbursement to the Owner for lost "Equity".
 - HCA will not be liable to pay any debt of the Owner pertaining to the property (examples: Mortgage, Mechanic Liens) .
 - . HCA will give the Owner sixty (60) days to "Buy-Back" the property @ 120% of HCA's out-of-pocket expenses.
 - d. Waiving of Late Charges, Interest and/ other Fees
 - . HCA's Finance Director is authorized to "write – off" various fees on delinquent assessment statement up to \$150.00 / per Owner in a four year period, based on the circumstances. Requests above \$150. must be approved by the Executive Director.

Questions regarding the above – please contact:

Executive Director, Harbison Community Assoc., 106 Hillpine Rd., Columbia, SC 29212
(803) 781– 2281

Effective: January 20, 2020