

DECISION PAPER



RECOMMENDED ACTION(S)

By Motion: The Board of Directors authorize the recordation of liens against the properties of members who have failed to bring their assessment accounts current. Those properties include APN - 044-610-052; APN - 045-180-076; APN - 045-510-006.

AUTHORITY

Under the current Civil Code, the Board is required to specifically authorize the recording of assessment liens against members' properties; this responsibility cannot be delegated.

BACKGROUND

The Tahoe Donner delinquent account policy prescribes those members who have failed to bring their assessment accounts current calls for the recording of assessment liens against their Tahoe Donner properties, should their accounts remain delinquent after May 1, 2019. These actions are not only set forth in our policy and governing documents but are authorized by state law.

Members who still owed the regular assessment as of March are advised of this pending action. They are also given notice of their right to address the Board regarding this contemplated action, and that their opportunity to do so would be upon request as part of the policy.

The Association contracts collections services with Platinum Resolution Services to assist in collections and foreclosure proceedings on properties with delinquent assessments which are with one or more years of delinquent assessments. As part of the services, Platinum Resolution Services assists the Association when the owner on record of the delinquent property is in question. The properties listed in this decision paper are properties in which we have recently identified the correct responsible party of the outstanding debt and can now proceed with correctly recorded liens on the properties to collect on delinquent assessment.

COMMUNICATION:

Properties with delinquent assessments are notified by first class and certified mail of delinquent assessment(s) and pre-lien notice.

FISCAL IMPACT

Lien fees are applied to the property and are recovered at the time of collection. The collection services expense varies; however, estimate for the collection of delinquent assessments per property is \$850.

ALTERNATIVES:

1. Not authorize the recording of an assessment lien against those properties for which the delinquent amount is owed. If this is the direction of the Board, please direct staff how to proceed.

Prepared By: Annie Rosenfeld, Director of Risk Management and Real Property

General Manager Approval: _____ **Board Meeting Date:** August 28, 2020