



DECISION PAPER

DATE January 7, 2021

TITLE:

Action to record lien against property for delinquent assessments.

RECOMMENDATION:

By Motion:

The Board of Directors authorizes Platinum Resolution Services to record a lien against Property Account Number 01413000 for which delinquent assessment amounts are owed.

BACKGROUND

Property Account Number 01413000 has outstanding delinquent assessments with an assessment lien last recorded in June 2019. The property has not paid on the prior outstanding balance nor set up a payment plan with the Accounting Department and is delinquent on the 2020 Annual Assessment.

ANALYSIS:

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

Property Account Number 01413000 has outstanding delinquent assessments including the 2020 Annual Assessment. As the current property lien does not include the delinquent 2020 Annual Assessment, a new lien should be recorded on the outstanding balance. Under the current Civil Code 5673, the Board is required to specifically authorize the recording of assessment liens against members' properties; this responsibility cannot be delegated.

The Association contracts collections services with Platinum Resolution Services to assist in collections and foreclosure proceedings on properties with delinquent assessments that are with one or more years of delinquent assessments. The proposed action today authorizes Platinum Resolution Services, as the agent collecting delinquent assessments on behalf of Tahoe Donner Association, to record the property lien.

OUTREACH:

Properties with delinquent assessments are notified by first class and certified mail of delinquent assessment(s) and pre-lien notice. Additionally, properties with delinquent assessments are sent a monthly invoice with balance due.





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.

ALTERNATIVE:

The board has a number of alternatives:

1. The board may choose to direct staff to not authorize the new lien;
2. The board may choose to direct staff to modify collections processing.

ATTACHMENTS:

Resolution - Authorization to Proceed with Recording of Lien for Account Number 01413000

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

Board Meeting Date: January 22, 2021

General Manager Approval to Place on the Agenda: _____

