

# **AUTHORIZATION AND RESOLUTION TO LIEN DELINQUENT ASSESSMENT**

BOARD OF DIRECTORS MEETING, MAY 28, 2021

# RECOMMENDED ACTION

**By Motion:**

The Board of Directors authorizes the recordation of liens against properties of members for which assessments, fines and fees are owed. Property Account Numbers are included as Exhibit B.

# BACKGROUND

- There are 106 outstanding delinquent assessment property accounts listed in Exhibit B.
- 21 out of 106 properties owe two or more years of assessments.
- Delinquent assessment accounts include annual assessments, Architectural Standards or Covenants fines, and fees.
- Outstanding delinquent accounts range from \$400 to \$69,000; average delinquent account balance is \$4,600.

# AUTHORITY

- Civil Code 5673:
  - A Board is required to specifically authorize the recording of assessment liens against members' properties; this responsibility cannot be delegated.
- Tahoe Donner Association Covenants and Restrictions, and Bylaws:
  - Provide authority of board to set a policy and procedures to execute on collection of delinquent assessments, fines and fees.
- Tahoe Donner Association Policies and Procedures Regarding Assessment Collection, Delinquency and Foreclosure Actions :
  - Outlines the rights and authority of the Association to recover delinquent assessments, fines and fees.

# TAHOE DONNER MEMBER OUTREACH

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

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