

# **SUSPENSION OF MEMBERSHIP RIGHTS + AUTHORIZATION AND RESOLUTION TO LIEN DELINQUENT ASSESSMENTS**

BOARD OF DIRECTORS MEETING - JUNE 24, 2022

# RECOMMENDED ACTION

## **By Motion:**

The Board of Directors authorizes the suspension of membership rights and recording of liens against properties of members for which delinquent assessments, fines and fees are owed.

Property Account Numbers are included herein as Exhibit A.

# BACKGROUND

- There are 77 outstanding delinquent assessment property accounts listed in Exhibit A.
- 20 out of 77 properties owe two or more years of assessments.
- Delinquent assessment accounts include annual assessments, Architectural Standards or Covenants fines, and fees relating.
- Outstanding delinquent accounts range from \$230 to \$93,000; average delinquent account balance is \$7,452.

# 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 and suspend membership rights until accounts are in good standing.

# TAHOE DONNER MEMBER OUTREACH

- Properties with delinquent assessments are notified by first class and certified mail of delinquent assessment(s), pending action by the board to suspend membership rights and pre-lien notice.
- Properties with delinquent assessments are sent a monthly invoice with balance due and the Tahoe Donner Association Policies and Procedures Regarding Assessment Collection, Delinquency and Foreclosure Actions .

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