



## STAFF REPORT

**DATE:**

May 19, 2023

**TITLE:**

Suspension of Membership Rights

**RECOMMENDATION:**

**By Motion:**

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

**BACKGROUND**

Default properties listed herein as Exhibit A have outstanding delinquent assessment accounts, which may include the 2023 Annual Assessment. Pursuant to the procedures set forth in the Tahoe Donner Association policies and procedures regarding assessment collection, delinquency and foreclosure actions for properties with delinquent accounts, staff is requesting action by the Board of Directors to suspend the membership rights on those properties with delinquent assessment accounts.

**ANALYSIS:**

Tahoe Donner Association's Delinquent Account Policy prescribes Board action to suspend membership rights on those properties which have failed to bring their assessment accounts due. The authority to take action under an adopted collections policy is established in the Tahoe Donner First Restated Covenants and Restrictions Article IV Section 10. All properties listed in Exhibit A have outstanding delinquent assessments, which may include the 2023 Annual Assessment.

Members who still owed the regular assessment and other special assessments (fines) as of May 1, 2023, were noticed and advised by first class and certified mail of pending action to suspend their membership rights. They were also given notice of their right to address the Board regarding this contemplated action, and that their opportunity to do so would be at the May 26, 2023, regular Board meeting. Suspensions imposed at the May 26, 2023 regular Board meeting, after considering any presentations offered by members, would take effect on May 30, 2023.

**OUTREACH:**

Properties with delinquent assessment accounts are sent a monthly statement with the balance due. On May 1, 2023 members were notified by first class and certified mail of delinquent assessment(s) with pending suspension of membership rights. Additionally, those properties were also sent the association's Delinquent Account Policy.





**FISCAL IMPACT**

Late fees continue to accrue on member accounts with outstanding assessments of 1% per month.

**ALTERNATIVE:**

The Board may choose to direct staff to modify collections processing.

**ATTACHMENTS:**

EXHIBIT A: List of Delinquent Properties

Prepared By: Todd Martyn-Jones, Director of Finance, Accounting and Business Services

Board Meeting Date: May 26, 2023

General Manager Approval to Place on the Agenda: \_\_\_\_\_

