



STAFF REPORT

DATE June 16, 2023

TITLE:

Authorization to Record a Lien against Delinquent Properties

RECOMMENDATION:

By Motion:

The Board of Directors authorizes Platinum Resolution Services to record a Lien against delinquent properties as noted in Exhibit A

BACKGROUND

Default properties listed herein as Exhibit A have outstanding delinquent assessment accounts including the 2023 Assessment and prior. 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, this staff report is requesting action by the board of directors to authorize Platinum Resolution Services to record a Lien on those properties with delinquent assessment accounts.

Under the current Civil Code 5673, the Board is required to specifically authorize the recording of any Lien against members' properties; this responsibility cannot be delegated.

ANALYSIS:

Tahoe Donner Association's Delinquent Account Policy prescribes board action to authorize the recording of a Lien 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 herein Exhibit A have outstanding delinquent assessments which may include the 2023 Annual Assessment.

OUTREACH:

Properties with delinquent assessment accounts were notified by first class and certified mail of delinquent assessment(s). Pending board action, Platinum Resolution Services will send by first class and certified mail a notice of pre lien, of which the property owner has 30 days to appeal or pay the delinquent amount. If no action is taken by the property owner, they will then be issued a lien notice by Platinum Resolution Services.



FISCAL IMPACT

Lien fees are applied to the property and are recovered at the time of collection.

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: June 23, 2023

General Manager Approval to Place on the Agenda: _____

