



Acceptance of Collection Process and Authorization for Representation

The Board of Directors for Rio Vista Condominiums hereby affirms that at a duly called board meeting of the Association the attached collection process and fee schedule was adopted and approved through a majority vote of its directors.

This authorization includes, but is not limited to: contacting delinquent owners to request payment of assessments and related charges; the preparation, signing and recording of liens against individual or joint lots within the community for delinquent assessments and related charges; the preparation, signing, and filing of small claims complaints against owners in court for delinquent assessments and other charges; representing the Association at any court hearing that arises from a small claims action filed in the name of the Association; any other related or ancillary activities so directed by the Board of Directors as its duly authorized agent.

This authorization shall remain in effect concurrently with the valid management/agency contract between the Association and Vision Community Management and shall specifically authorize Mark Schmit, Kim Smith, Darin Fisher, and Cory Christians to perform these functions in accordance with A.R.S. §22-512.

Andy Lopez *Audrey Cooper*
Board member

Secretary
Title

January 17, 2022
Date



Collection Process & Fee Schedule-2020

TIMING AND ACTION

FEE

15 DAYS - Initial Late Letter (sent by accounting)	Contractual Rate
45 DAYS - Lien Demand Letter (sent by accounting)	Contractual Rate
75+ DAYS - Account is referred to collection department (sent by accounting)	No Charge

Collections- "Tier 1"

75+ DAYS Collection Setup (1)/ Asset Analysis (2) **\$75.00 (1)/ \$90.00 (2)/ \$5.00 monthly collection monitoring (3)**

This process includes account review to verify amounts owed, current mailing address and contact information, screening for bankruptcy and trustee sale, and entry of account information into a secure database. A phone call is made and e-mail sent to attempt immediate resolution of the account (1). If account is not paid in full or payment arrangements made within fifteen business days an asset analysis will be completed which includes a review of the owner(s) credit report to determine the viability of collecting from them (2). Starting the month following the asset analysis, every active collection account is charged a \$5.00 monthly monitoring fee until the account is brought current (3).

Collections- "Tier 2"

75+ DAYS Lien Notice (1)/ Pre-Litigation Letter (2) **\$150.00 (includes lien release) (1)/ \$45.00 (2),**

A notice of lien is recorded if the asset analysis reveals sufficient equity in the property to cover the debt owed (1). A final demand letter is sent to the owner with a copy of the lien and ledger via first class and certified mail informing them that if they fail to respond legal action may be taken against them after thirty days (2). Additional demand letters may be sent if the owner defaults on payment plan(s) established after the final demand letters are sent (see D below).

Collections- "Tier 3"

105+ DAYS Small Claims Suit Filed for Judgment **\$250.00 + filing fee +process server (1) / \$100.00 (2)/ \$125.00 (3),**
OR Stipulated Agreement OR Small Claims Hearing

A small claims suit is prepared, filed, and sent out for personal service to the homeowner(s) (1). An application for default (2) and request for judgment (3) will be filed to obtain default judgment or a stipulated agreement (\$90.00) will be prepared and signed by the homeowner(s) for voluntary entry of judgment with a payment plan. Court appearance may be necessary (\$100.00 per appearance) if the owner files an answer with the court disputing any part of the complaint.

105+ DAYS Account forwarded to attorney **\$30.00**

This **MAY** occur if the owner is represented by counsel and/or requests that the case be transferred to the civil division OR if the balance exceeds the small claims limit of \$3,500.00.

Collections- "Tier 4"

165+ DAYS Certify Judgment and Record / Satisfy Recorded Judgment **\$175.00 (includes filing & recording fees) and \$45.00 to Satisfy**
 Upon receipt of a signed judgment we will obtain a certified copy and record it with the appropriate county so that it becomes a lien against any property held by the owner within Arizona. Once paid there is a \$45.00 fee charged to file, certify, and record the satisfaction.

165+ DAYS Earnings (1)/Non-Earnings Garnishment (2) **\$150.00 (1)/\$100.00 (2) + filing fee + process server +bank fees**
 If employment and/or banking information is verified we will prepare and file earnings (1) and/or non-earnings (2) garnishments.

165+ DAYS Judgment Debtor Exam **\$100.00 + filing fee + process server + hearing attendance (\$100.00 ea)**
 If no employment or banking information is located we will prepare and file a petition with the court to conduct a debtor's exam.

OTHER ACTIONS THAT MAY OCCUR:

A. Payment Plan Monitoring (for non-collection accounts)	\$5.00 per month
B. Asset Analysis/Work Number Search (if not proceeding with Tiers 1 or 4)	\$90.00 (for a six-month period)
C. Lien Release (Non-Vision recorded)	\$65.00 (includes recording fee)
D. Additional demand letters (pre or post-judgment first class/certified)	\$30.00/\$45.00 each
E. Renewal of Judgment (Small Claims or Justice Court)	\$100.00
F. Prepare, file and record satisfaction of Judgment	\$100.00 (Superior Court)

BANKRUPTCY- CHAPTER 7/13/Trustee Sale

G. Document BK notice/split account/monitor Chapter 7	\$10.00
H. File Proof of Claim-Chapter 7/13	\$90.00
I. Forward to Attorney (if claim is disallowed)	\$50.00
J. Monitor Chapter 13 to completion	\$90.00 per year to conclusion (If proof of claim is filed-3-5 years)
K. Document and Monitor Notice of Trustee Sale	\$90.00 (includes Referral to Attorney for Excess Proceeds or referral to Thunderbird Collections)
L. Prepare and submit claim to trustee for excess proceeds	\$45.00 (For trustee sales not monitored per K above)

- All fees added to homeowner's delinquency balance when charged to the association
- Timing is approximate and will vary depending on association late dates, workload, court and individual response times
- Pricing to owner or association is subject to change after 30 day written notification to the association (typically occurs as a result of legislative/court fee updates)