

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
VILLAGE OF BELMONT HOMEOWNERS ASSOCIATION, INC.**

**RULES GOVERNING COLLECTION OF ASSESSMENTS,  
IMPOSITION OF LATE FEES AND INTEREST, AND  
SUSPENSION OF GATE SYSTEM AND POOL ACCESS**

The undersigned, being all of the members of the Board of Directors of Village of Belmont Homeowners Association, Inc. (the “Association”), hereby take the following action and adopt the following Resolution as of the 1 day of August 2024 and direct that this Resolution be filed in the Association's corporate minute book.

**WITNESSETH**

**WHEREAS**, the Association is a nonprofit corporation organized under the Georgia Nonprofit Corporation Code to be the Association named in that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Village of Belmont, which was recorded April 16, 2015, at Deed Book 15233, Page 777, *et seq.*, Cobb County, Georgia land records (hereinafter as may be amended, the “Declaration”) and the Bylaws of Village of Belmont Homeowners Association, Inc. (the “Bylaws”) to have the power and authority set forth therein; and

**WHEREAS**, the Board of Directors of the Association (the “Board”) constitutes the body responsible for administration of the Association and, as such, is granted certain authority pursuant to the Declaration and the Bylaws; and

**WHEREAS**, the Board of the Association is charged with the responsibility of collecting assessments for common expenses from each Owner of any Lot pursuant to Article 4 of the Declaration; and

**WHEREAS**, Article 7, Section 7.1 of the Declaration provides that the Board may promulgate, modify or delete reasonable rules and regulations applicable to the Community; and

**WHEREAS**, Article 5, Section 5.8(h) of the Declaration provides that each Owner shall use the Gate System in the proper manner and within the rules and regulations relating thereto as may be adopted from time to time by the Board of Directors; and

**WHEREAS**, from time to time, Owners become delinquent in their payments of these assessments and fail to respond to the demands from the Board to bring their accounts current; and

**WHEREAS**, the Board deems it to be in the best interests of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner, and further believes it to be in the best interests of the Association to refer these accounts promptly to the Association’s attorney for collection so as to minimize the Association’s loss of assessment revenue; and

**WHEREAS**, the Board desires to adopt the foregoing Resolution to establish a procedure for suspending an Owner's membership rights, which include use of the Gate System and access to recreational facilities, including the pool, upon the failure or refusal or an Owner to pay assessments and/or other charges due and payable pursuant to the Declaration;

**NOW THEREFORE**, the undersigned, constituting all of the duly elected members of the Board of Directors of the Association, do hereby adopt the following Resolution as the action of the Board of Directors of the Association:

**RESOLVED**, that pursuant to Article 4, Section 9 of the Declaration, any assessments or installments thereof which are not paid when due shall be delinquent, and any such assessments or installments thereof delinquent for a period of more than ten (10) days shall incur a late charge in the amount of ten percent (10%) of the amount not paid when due and interest at the rate of eighteen percent (18%) per annum; and

**FURTHER RESOLVED**, nonpayment of assessments or any portion thereof shall entitle the Association to pursue any and all remedies available under the Declaration and Georgia law; and

**FURTHER RESOLVED**, that any Owner whose account is at least \$500.00 delinquent in principal general (monthly) assessments or at least \$500.00 delinquent in principal specific assessment water charges shall have their membership rights suspended, which include, without limitation, the right to vote, the right of the Owner and/or their Occupants to use the Common Property recreational facilities, which includes automatic deactivation of the pool and/or other recreational facility fobs, and automatic deactivation of the Gate System fob(s) for such time as the Owner maintains an outstanding balance on their assessment account; provided, however, the delinquent Owner shall retain pedestrian access to their Lot; and

**FURTHER RESOLVED**, that once an Owner's account becomes at least \$500.00 delinquent in principal general (monthly) assessments or at least \$500.00 delinquent in principal specific assessment water charges, the Association's managing agent shall notify the Owner that if their account is not paid in full within ten (10) days of the date of such notice, the Association shall suspend the Owner's membership rights, as specified above, for such time as the Owner maintains an outstanding balance on their assessment account; and

**FURTHER RESOLVED**, that the managing agent is directed to refer any Owner's assessment account with a minimum outstanding total balance of \$1,000.00 to the Association's attorney for collection. The Association's attorney shall send a warning of suit letter to the delinquent Owner, notifying them of the Association's intent to file a civil action for the money owed unless the debt is paid in full within thirty (30) days of the date of the letter. The attorney may also file a lien against the Lot, if necessary; and

**FURTHER RSEOLVED**, that the Association's attorney shall proceed with filing a civil action for money owed at such time as the Owner is indebted to the Association in the amount of \$1,000.00 or more and after the proper warning of suit notice has been sent; and

**FURTHER RESOLVED** that the managing agent is directed to consult with the Association's attorneys to provide any requested information regarding delinquent Owners to aid in collecting delinquent assessments. The Association's attorney is authorized to use all legal means to collect funds owed to the Association, including but not limited to, accelerating assessments for the current year, suspending membership rights, which include deactivation of the Gate System and pool fobs, suspending utilities and services provided for by the Association as a Common Expense, placing a Notice of Lien against the delinquent Lot, filing suit against the Owner for non-payment of assessments, and collecting on any judgments entered against the Owner by filing garnishment actions and using other means of post-judgment collection; and

**FURTHER RESOLVED** that the following policies shall apply to all delinquent accounts turned over to the Association's attorney for collection:

- 1) All communication with the delinquent Owner shall be handled through the Association's attorney.
- 2) All sums collected on a delinquent account shall be remitted to the Association in care of the Association's attorney until the account has been brought current.
- 3) All legal fees and costs incurred in the collection of the delinquent assessment account shall be assessed against the delinquent Lot and Owner.
- 4) If a delinquent Lot is rented by its Owner, the Association's attorney is authorized, pursuant to Article 8, Section 8.4(c)(ii) of the Declaration, to demand and collect rent from the tenant of the Lot.
- 5) The Association's attorney reserves the right to take all other collection actions available under the Declaration and Georgia law.

**The foregoing procedure may be accelerated and/or modified as determined at the sole discretion of the Board of Directors.**

[SIGNATURES ON FOLLOWING PAGE]

**IN WITNESS WHEREOF**, the Directors of the Board hereby execute and duly adopt this Resolution as of the date first above written.

**BOARD OF DIRECTORS OF  
VILLAGE OF BELMONT  
HOMEOWNERS ASSOCIATION, INC.**

<i>Cole Gardiner</i>	dotloop verified 08/01/24 8:26 PM EDT YB8R-PM8C-BJB3-N6WC	Director
<i>Sharon Roper</i>	dotloop verified 08/02/24 9:40 AM EDT AT41-FQEL-PDJM-PVE2	Director
<i>Leslie Dunnell</i>	dotloop verified 08/01/24 10:31 PM EDT MYCS-LJC9-JZVD-YOOO	Director
<i>Hunter Hamilton</i>	dotloop verified 08/02/24 10:03 AM EDT GM9N-8RUW-L7BK-CTIA	Director
<i>Adam T Streff</i>	dotloop verified 08/02/24 11:52 AM EDT UV6K-IF0X-2K29-R1AQ	Director