

# **RIVER STRAND GOLF AND COUNTRY CLUB, INC.**

## **MEETING OF THE BOARD OF DIRECTORS**

**June 12, 2017**

A **REGULAR meeting** of the Board of Directors was held on Monday June 12, 2017 at 6:00 PM in the offices of ICON property Management located at 5325 East State Road 64, Bradenton, FL 34208.

A quorum of the Board of Directors was present with Mr. Scott Hancock, Mr. Michael Fisher, and Mr. Terry Lyons in person, and via conference phone Ms. Anita Tierney, Mr. Bob Walsh and Mr. Charles Glasser. Mr. Eddie Hicks joined the conference call after the approval of the prior meeting minutes. Also present were Shaun Fitzer, LCAM, Community Manager for River Strand.

The President, Terry Lyons, called the meeting to order at 6:00 PM. Proper meeting notice was posted throughout the property in accordance with the Florida statutes and the governing documents of River Strand Golf and Country Club.

There were approximately 24+ owners present at the meeting who had signed in at the door and seven owners who filled out request to comment to the board forms.

Upon a motion made by Ish, seconded by Scott Hancock,

**It was voted in motion #17-91:** to approve the minutes of the May 15th, 2017 meeting of the board of directors as amended, motion passed unopposed. **Motion passed.**

### **On matters relating to owner comments:**

#### **Carmen DeRosa – Grand Estuary Trail**

- 1) What is the requirement/process to change the rules of the community?
- 2) Can there be areas designated for the accommodation of smokers?
- 3) Can there be a separate bulletin board for association matters?
- 4) How are the results of surveys being utilized?
- 5) Do the covenants prohibit smoking?

#### **Patti Reid – River Hammock Drive**

- 1) Thanked members of the Social committee for work done in reviewing the fitness center and satellite pools
- 2) Stated that there are a lot of full year residents in the community who would benefit from improvements/replacements being made during the summer months

#### **Janice McLeod – Heritage Sound**

- 1) Requests consideration for outside play for tennis and pickleball during the summer
- 2) Is the board reviewing the rules for future modifications?

#### **Samara Paice (read a letter from another owner)– River Preserve**

- 1) Is there a mission statement and action plan for the community
- 2) The board should be consistent in its process
- 3) Board members should pay attention during the meetings
- 4) Non-smoking at the pools was a bad idea
- 5) A new survey should be taken

- 6) Are the golf transition items being acted upon
- 7) Will the board accept committee recommendations
- 8) Requests time at the end fo the board meetings for owners to ask questions

**David Gutierrez – Heritage Grand**

- 1) Who will enforce the new rules?
- 2) What are the penalties for the breaking of the new rules?
- 3) Would like better communications for the meetings via more frequent eblasts

**Bob Chuchowski – Willowshire**

- 1) Requests that people running for the board should disclose if they are full time residents
- 2) Why are meetings not held at the club
- 3) Why is the Sancutuary fitness center not being maintained

**Mike Brady- River Hammock**

- 1) Requests new nametags with a white background for staff
- 2) Has played other golf courses which allow smoking
- 3) Can the quarterly dues be reduced, public rates are too low as they should not be charged the same rate as members

**Jim Boone – River Enclave**

- 1) Truscapes has been missing areas of neighborhoods during landscaping work
- 2) The landscape crews seem smaller
- 3) They are not doing all the edging work that truscapes is supposed to be doing

**On matters related to the manager’s report:**

The property manager reported on delinquent homeowners and made the following recommendations to the board of directors based on the current delinquent status:

218 Winding River Drive and 535 Grand Preserve Cove are both more than 120 days in arrears, a lien has been filed, and foreclosure action needs to be initiated.

Upon a motion made by Anita Tierney, Seconded by Terry Lyons,

**It was voted in motion 17-92:** to approve the manager to contact the collections attorney on behalf of the association and proceed with the foreclosure action against the above mentioned homes. Motion carried unopposed. **Motion approved.**

8004 Grand Estuary Trail #101 and 8316 Heritage Grand are both more than 90 days delinquent, their club rights have been suspended, and a lien action needs to be initiated.

Upon a motion made by Anita Tierney, seconded by Scott Hancock,

**It was voted in motion 17-93:** to approve the manager to contact the collections attorney and initiate a notice of intent to create lien and to sign any documentation required to file the lien on behalf of the association. Motion carried unopposed. **Motion approved.**

8915 Heritage Sound, 518 Grand Preserve, 8406 Grand Estuary #103, 7607 Grand Estuary #301, 7121 River Hammock #306, 7215 River Hammock Drive #105, 7120 Grand Estuary Trail #104, 7124 Grand Estuary Trail #104, 7116 Grand Estuary Trail #101, 6918 Quiet Creek, 188 Wandering Wetlands, 6417 Willowshire Way, 6716 Wild Lake, 6833 Wild Lake, 6509 Grand Estuary Trail #101, 6509 Grand Estuary Trail #201 – all will be 75 days past due on the 15<sup>th</sup> of June, and club suspension applicable at 90 days.

Upon a motion made by Scott Hancock, seconded by Mike Fisher,

**It was voted in motion 17-94:** to approve the suspension of the above mentioned club rights after June 30<sup>th</sup> should they still remain delinquent in their obligations to the association. Motion carried unopposed. **Motion passed.**

The manager presented a followup report providing 3 bids and 2 options to provide cooling to the mechanical room off the kitchen where the phone system computer is located. This was not included in the cost to install the phone system. The options were to install a mini split system which would have its own thermostat, or to try to branch off the existing air system for the area and add additional cool air and a return.

Upon a motion made by Terry Lyons, seconded by Scott Hancock,

**It was voted in motion 17-95:** to approve the bid from the incumbent A/C company, CTI to provide additional ventilation into the room at a cost of \$800, motion carried unopposed. **Motion passed.**

The manager presented 2 bids for the cleaning of all of the flooring throughout the main clubhouse, fitness center, pro shops, and the Sanctuary fitness center and multipurpose room.

A motion was made by Anita Tierney to hire Service Master, motion was not seconded, and therefore falls to the floor.

Upon a motion made by Scott Hancock, seconded by Terry Lyons,

**It was voted in motion 17-96:** to approve the bid from Jan Pro subject to their providing 2 references for their floor cleaning services in an amount of \$3540, motion carried unopposed. **Motion passed.**

The manager presented the contracts with the incumbent pond and preserve maintenance company, pond professional. The property management committee has reviewed the contract proposal but offered no comment. The contract has a 60 day with notice of cause termination clause to get out of the 12 month term and is retroactive to April 1, 2017.

Upon a motion by Terry Lyons, seconded by Charles Glasser,

**It was voted in motion 17-97:** to approve the retroactive contracts with Pond Professional and authorize the board president to sign the contracts on behalf of the association, motion carried unopposed. **Motion passed.**

#### **On matters related to communications:**

Anita Tierney presented a recommendation of three alternative sources to provide bulk email services for the community.

**It was voted in motion 17-98:** to direct ICON to review more flexible and more efficient methods of sending Eblasts; to start their investigation based on information provided by Ms. Tierney; and to initiate a free trial, if available, or if preferred alternative eblast method in order to test it and report to the board at the next meeting or as soon as possible regarding the outcome. Motion carried unopposed, **motion passed.**

Upon a motion made by Anita Tierney, seconded by Scott Hancock,

**It was voted in motion 17-99:** to approve a bulk email distribution from the compliance committee reminding people of the steps to transfer club membership and unit rental requirements, motion carried unopposed. **Motion passed.**

Upon a motion made by Anita Tierney, seconded by Terry Lyons,

#### **On matters related to committee organization:**

**It was voted in motion 17-100:** to appoint Pauline Tasler as chairperson of the architectural review committee, motion carried unopposed. **Motion passed.**

#### **On matters related to the online voting system:**

Management is do a trial vote utilizing the board members personal email accounts.

#### **On matters related to the turnover/reserve study:**

Onsite visit was completed on 5/23-5/25, the report is anticipated to be received in draft form in by the end of August.

**On matters related to the emergency phones at the pools:**

The safety committee made the following recommendation:

*The Safety, Security and Emergency Preparedness Committee is recommending that we keep all the Red 911 Emergency Callbox/Phones at all of the pools in River Strand.*

*We also would recommend additional signage to better identify the phones.*

*The committee also recommends that the service contract be consolidated into one and that better pricing be sought.*

Upon a motion made by Eddie Hicks, seconded by Bob Walsh,

**It was voted in motion 17-101:** to accept the recommendation of the Safety committee and keep the emergency phones at the pools, motion carried unopposed. **Motion passed.**

**On matters related to turnover from Lennar:**

Anita Tierney, Scott Hancock, and Mike Fisher will work on a preliminary package for discussion. Each committee liaison is advised to ask their committee for any items that they believe should be included in the turnover negotiation.

**On matters related to town hall meeting:**

The next town hall meeting will be October 16, 2017 at 6PM, if available to be held at the Bayside Church.

**On matters relating to the amendment of the governing documents:**

Upon a motion made by Terry Lyons, seconded by Mike Fisher,

**It was voted in motion 17-102:** to add consideration of all rentals being required to transfer their membership, and to add that a membership cannot be sold to the items requested to be vetted by the attorney for voting by the membership in amending the governing documents. Motion carried unopposed. **Motion passed.**

**On matters relating to the treasurers report:**

The treasurer submitted a comprehensive four month review of the association finances and discussed the 2016 audit which has been received and distributed. A collection policy subject to the inclusion of a 15 day notice was submitted to the board for review and was discussed. See exhibit at end of report.

Upon a motion made by Terry Lyons, seconded by Scott Hancock,

**It was voted in motion 17-103:** to approve the collections procedure as presented by the treasurer subject to the review by the association attorney, motion carried unopposed. Motion passed.

**On matters relating to the furniture at the pool:**

The Social committee made a recommendation for purchase of multiple furniture items and the restrapping and repainting of furniture at the satellite pools. Pricing provided by the manager gave a price for all items of \$17,400. There is a budget for the year of \$22,000 which has been utilized primarily for the main club pool furniture repairs and still has approximately \$17,500 left.

Upon a motion made by Mike Fisher, seconded by Scott Hancock,

**It was vote in motion 17-104:** to approve the recommendation of the Social committee and authorize the manager with the approval of the committee designee to purchase and pay for repairs to the pool furnishings in an amount not to exceed \$17,400. Motion carried unopposed, **motion passed.**

**There being substantially more business to be transacted at the hour of 10:20PM the board elected to close the meeting and reconvene on Friday June 16<sup>th</sup> at 1PM at the offices of ICON management.**

Respectfully Submitted,

\_RTW\_, Secretary on Behalf of River Strand Golf and Country Club, Inc.

Shaun Fitzer, LCAM On Behalf of River Strand Golf and Country Club, Inc.

ITEMS ATTACHED AS FOLLOWS:

June 2017 treasurer's report

June 2017 proposed collection policy

### **River Strand Treasurer's Report – June 12, 2017**

1. Financial Statements – Jan-Apr 2017 (emailed to Board last week)

a. Summary of Year to Date Financial Results (details attached)

	<u>2016</u>	<u>2017</u>	<u>'17 Bud.</u>
i. Admin Profit	\$119K	\$184k	\$ (4K)
ii. Golf Profit	472K	527K	373K
iii. Food & Bev. Prof.	<u>3K</u>	<u>51K</u>	<u>56K</u>
iv. Total Profit	\$ 593K	\$763K	\$425K

b. Admin Variance (vs. Budget \$188K favorable, vs. last yr \$65K favorable)

- i. Revenues up - increased resale capital, maintenance, and transfer fees
- ii. Expenses down \$78K vs. budget - timing difference, up \$150K vs last year - increased budget including \$35K for payroll (yr end increases, filled new position and open position)
- iii. Common Area, Pool, Fitness and Tennis Expenses in line with budget and last year other than timing

c. Golf Variance (vs. Budget \$154K favorable, vs. last yr \$55K favorable)

- i. Rev up a little: increase in Guest and Member offset by lower Carts and Non-Member fees
- ii. Pro Shop expenses: \$19K higher payroll/taxes/ins vs. budget and +\$13K vs last yr
- iii. Golf Course Exp. \$145K under budget and \$33K under last year: lower chemical, fertilizer and mulch cost due to timing issues and not over seeding

d. Food and Beverage Variance (vs. Budget \$5K unfavorable, vs last yr. \$48K favorable)

- i. Revenue up \$111K vs. budget and \$128K vs. last year - unused minimum (+\$72K and +\$82K respectively) and food revenues up approx. \$60K
- ii. Food Cost as % of sales running higher for Food purchases
- iii. Restaurant Exp. up \$60K vs. budget and \$30K vs. last year - higher Payroll/Taxes/Ins

2. Audit Report Year End 2016

- a. Sent to Board last week

- b. Adjustments:
  - i. Increased Consolidated Net Earnings from \$537K to \$547K
  - ii. Increased Golf allocated profit from \$109K to **\$222K** and decreased Social from \$428K to **\$325K**
  - iii. Recorded prior period adjustment related to initial acquisition of fixed assets which reduced the 12/31/2016 amount due to Lennar from \$652K to a receivable of \$309K. This receivable will be offset by Social Profits for Jan/Feb 2017
  - iv. Need detailed work papers from Stroemer/Lennar to understand basis for the above changes
3. Audit Report for Jan/Feb 2017
  - a. Advised that we should receive in July
4. Collection Policy
  - a. Proposed Collection Policy emailed to Board last week
  - b. Board needs to approve policy and send to lawyers for their review and approval
5. Proposed Allocation of Revenues and Expenses between Golf and Social
  - a. Developed new Allocation %
    - i. Golf direct revenues and expenses 100% golf (Golf/Pro Shop Income Statement)
    - ii. Social related revenues and expenses 100% social (includes Pool, Fitness, Tennis, Food and Beverage)
    - iii. Admin Revenues 100% Social other than Capital Resale and Transfer Fees
    - iv. Resale and Transfer Fees – Social home 100% social; Golf home 50% social, 50% golf
    - v. Clubhouse expenses - 10% Golf and 90% Social (based on square footage), cart barn 100% golf
    - vi. Cable and Single Family Home Mtce will be taken out of Admin statement and reflected at bottom of consolidated income statement, assessed fees and cost should net to \$0
  - b. 2006-2015 Financials using new allocations
    - i. To re-compute prior period financials using new allocations to determine change between social and golf profitability.
    - ii. Based on quick re-computation of 2016 financials using new allocations, golf profitability would improve from \$222K (post audit) to \$481K while social profitability will decrease by approximately \$260K
    - iii. To recalculate social profitability for 2014 – Feb 2017 and respective impact on amount due developer, and utilize results as part of negotiations with Lennar
6. Budget Schedule
  - a. ICON to complete budget August 15
  - b. Reviewed by respective Committees and Finance Committee August 31
  - c. Board finalizes Reserves and \$ impact of Lennar negotiation and approves Draft Budget Sept 30
  - d. Distributed to homeowners Oct 15
  - e. Budget Board meeting with homeowners and approval of budget Nov 20
  - f. ICON determines quarterly assessments and mails 1<sup>st</sup> Quarter assessments Dec 5

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<b>RIVER STRAND GOLF &amp; COUNTRY CLUB</b>						
<b>ADMINISTRATIVE/CLUBHOUSE INCOME STATEMENT</b>						
<b>4/30/2017</b>						
<b>YTD</b>						
	<b>2016</b>	<b>2017</b>	<b>2017</b>	<b>BUDGET</b>	<b>PRIOR YR</b>	
	<b>ACTUALS</b>	<b>ACTUALS</b>	<b>BUDGET</b>	<b>VARIANCE</b>	<b>VARIANCE</b>	<b>VARINCE EXPLANATION</b>
<b>TOTAL ADMIN REVENUE</b>	1,352,723	1,634,431	1,533,440	100,991		Resale Cap +33, Mtce Fees +40, Transfer Fees +10, Gate Rev + 13
					281,708	Mtce Fees +135, Cable Fees +47, Resale Cap +28, SFH Mtce +38, Transf Fees +15
<b>TOTAL CLUBHOUSE EXPENSE</b>	665,937	816,520	894,518	(77,999)		Gate Exps -35, Special Proj -23, Elect -11, Bldg Mtce -11, Payroll/Tax/Ins +8, Printing +6
					150,583	Bulk Cable +47, Elect +20, Payroll/Tax/Ins +35, Printing +7 Bank Chrg +7, Mgt Fee +9
<b>TOTAL COMMON GROUND EXPENSE</b>	449,735	497,918	508,143	(10,225)		Payroll/Tax/Ins -10, Remaining Variances Timing
					48,182	Payroll/Tax/Ins -6, Remaining Variances Timing
<b>TOTAL POOL EXPENSES</b>	67,490	71,231	73,100	(1,869)		Most Variances Timing
					3,741	Most Variances Timing
<b>TOTAL FITNESS EXPENSES</b>	20,081	33,291	29,879	3,412		Promotion +14, Fit. Equip -10
					13,209	Promotion +4, Payroll/Tax/Ins +11
<b>NET PROFIT/(LOSS) TENNIS</b>	(30,555)	(30,881)	(31,397)	515		Payroll/Tax/Ins +5, Repairs -2
					(327)	Mem Rev -6, Payroll/Tax/Ins +2
<b>ADMIN NET PROFIT/(LOSS)</b>	118,926	184,591	(3,597)	188,188	65,665	



<b>RIVER STRAND GOLF &amp; COUNTRY CLUB</b>						
<b>PRO SHOP/GOLF INCOME STATEMENT</b>						
<b>4/30/2017</b>						
<b>YTD</b>						
	<b>2016</b>	<b>2017</b>	<b>2017</b>	<b>BUDGET</b>	<b>PRIOR YR</b>	
	<b>ACTUALS</b>	<b>ACTUALS</b>	<b>BUDGET</b>	<b>VARIANCE</b>	<b>VARIANCE</b>	<b>VARIANCE EXPLANATION</b>
<b>TOTAL GOLF COURSE REVENUE</b>	1,378,713	1,396,680	1,389,630	7,050		Guest Fees + 32, Mem Fees +8, Cart Fees -10, Non-Mem Fees - 16, Interm Mem -8
					17,967	Guest Fees + 40, Mem Fees +23, Cart Fees -9, Non-Mem Fees -26, Interm Mem -13
<b>TOTAL PRO SHOP REV</b>	103,913	98,123	112,473	(14,350)		Equip Sales +5, Balls -5, Mem Wear -6, All Other -8
					(5,790)	Equip Sales +6, All Others Equally Down -12
<b>TOTAL COST OF SALES</b>	76,216	69,415	76,178	6,763		In Line With Sales
					6,801	In Line With Sales
<b>TOTAL GROSS</b>	1,406,411	1,425,388	1,425,925	(537)	18,978	
<b>TOTAL PRO SHOP EXPENSES</b>	351,946	349,428	358,606	9,177		Payroll/Taxes/Ins +19, Carts -4, Bank Chrg -3, Handicapp -4
					2,518	Payroll/Taxes/Ins +13, Carts -7, Bank Chrg -3, Handicapp -4
<b>TOTAL GOLF COURSE EXPENSES</b>	582,625	548,767	694,464	145,697		Chemicals - 55, Fertilizer - -40, Mulch -42, Irrig - 11, Palm Tree Trim +8, Payroll/Taxes/Ins +4, Equip Lease + 6, Timing Issues and Savings on not Overseeding
					33,858	Chemicals - 38, Fertilizer - -9, Mulch -9, Irrig - 11, Palm Tree Trim +10, Payroll/Taxes/Ins +19, Trees +10, Timing Issues and Savings on not Overseeding
<b>NET PROFIT/(LOSS)</b>	<b>471,839</b>	<b>527,193</b>	<b>372,855</b>	<b>154,337</b>	<b>55,353</b>	

<b>RIVER STRAND GOLF &amp; COUNTRY CLUB</b>						
<b>FOOD &amp; BEVERAGE INCOME STATEMENT</b>						
<b>4/30/2017</b>						
<b>YTD</b>						
	<b>2016</b>	<b>2017</b>	<b>2017</b>	<b>BUDGET</b>	<b>PRIOR YR</b>	
	<b>ACTUALS</b>	<b>ACTUALS</b>	<b>BUDGET</b>	<b>VARIANCE</b>	<b>VARIANCE</b>	<b>VARIANCE EXPLANATION</b>
<b>TOTAL RESTAURANT REVENUE</b>	613,676	742,298	630,852	111,446		Unused Min + 72, Food + 57, Wine +7, Ent -5, Beer -13
					128,623	Unused Min + 82, Food + 63, Wine -11, Ent +10, Beer -3
<b>TOTAL COST OF SALES RESTAURANT</b>	246,600	297,569	243,802	53,767		Food + 51, high food cost to sales
					50,969	Food + 48, high food cost to sales
<b>TOTAL RESTAURANT EXPENSES</b>	394,498	424,827	365,210	59,617		Payroll/Taxes/Ins + 46, Laundry +10, Supplies +12
					30,329	Payroll/Taxes/Ins + 30, Laundry +4, Supplies -10
<b>NET PROFIT/(LOSS) RESTAURANT</b>	(27,422)	19,902	21,840	(1,938)	47,324	
<b>TOTAL CONCESSION REVENUE</b>	123,863	143,630	137,393	6,237		Liq +5, issues with accounting for Tiki vs Golf Cart
					19,767	Liq +7, Food +6, Beer + 4, issues with accounting for Tiki vs Golf Cart
<b>TOTAL COST OF SALES CONCESSIONS</b>	43,517	53,454	44,227	9,227		Beer + 10, high cost % to sales
					9,937	Beer +15, high cost % to sales; Liq -4 low cost % to sales
<b>TOTAL CONCESSION EXPENSES</b>	49,754	59,301	59,403	(102)		Payroll/Taxes/Ins in line with budget
					9,547	Payroll/Taxes/Ins + 10, increased budget - yr end increases in wages and higher Ins/Fees/Taxes
<b>NET PROFIT/(LOSS) CONCESSION</b>	30,591	30,875	33,763	(2,888)	284	
<b>NET PROFIT/REST/CONC</b>	3,169	50,777	55,603	(4,826)		

## **River Strand Golf and Country Club (RSGCC) Collection Policy and Procedures (Policy) - June 2017**

**Whereas**, the Board of Directors (hereinafter "Board") of River Strand Golf and Country Club (hereinafter "Association") is responsible for the operation and maintenance of the Association; and

**Whereas**, the Association is under contract with Icon Property Management, Inc., (hereinafter "Agent") to provide management services as Association's agent; and

**Whereas**, the Association address for the collection and processing of payments is: River Strand Golf and Country Club at the address specified by the Board, and

**Whereas**, owner is responsible per FL Statute to make payment of any assessments, and house charges with or without notice, and

**Whereas**, payment can only be deemed received when it is processed by the Association bank thereby requiring the owner to allow sufficient time for delivery and processing, including cases where credit card declined or bounced check is applicable, and

**Whereas**, the Board has determined that there is a need to enact uniform policies regarding collections on delinquent accounts.

**Whereas**, the Board requires Icon to maintain a file for each unit for which collection notices are generated and sent to the unit owner. This file will be provided to the legal counsel as documentation for all actions taken to collect past due amounts prior to legal collection activity.

**NOW, THEREFORE, BE IT RESOLVED** by the Board as follow:

### **THE BUDGET - SETTING OF FEES**

THAT notice of proposed assessment for the future year is presented at a meeting of the Board of Directors for adoption setting the assessment for the next year and mailed to all unit owners in accordance with FL statute. It is suggested that the owners allow at least TEN (10) business days for the mailing and processing of payments to the address of collection.

### **SECTION 1: LETTER ADVISING POTENTIAL SUSPENSION OF ALL USE RIGHTS** (required by law)

THAT all assessments and house charges not received and processed, or where the credit card, or check was declined, house charging privileges will immediately be suspended on behalf of the association within 20 days of the past due date. A reminder shall be sent to the owner informing the owner that interest will be added and all use rights suspended if the payment is not received within 30 days of the due date. Notice will be sent via email and if email address not available via US mail to last address on record of the association.

### **SECTION 2: FIRST NOTICE-AFTER 30 DAYS delinquent**

THAT all assessments or house charges not received and processed on behalf of Association at the address of collection by the 30<sup>th</sup> day after the date when the assessment or house charge is due shall be charged interest. As authorized by the Association's By Laws, assessments and house charges not received and processed by that date when due shall bear interest from the DU!3 date until paid at the rate of 18% per annum CALCULATED THROUGH THE 30TH DAY,

additional interest will not be added if the payment is received within 15 days of this notice. All payments processed after the 30<sup>th</sup> day shall be applied per FL statute to interest before being applied to the principal amount. Homeowners with any assessments or house charges delinquent after 30 day will have a right to appear before the fining committee before all privileges discontinued.

**SECTION 3: SECOND NOTICE - after 45 days delinquent**

THAT when any assessments or house charges are not received and processed on behalf of Association at the address of collection by the 45<sup>th</sup> day past due, in an amount greater than \$250, that owner will be contacted via telephone with a written follow up, with the last known phone number or address on file.

**SECTION 4: FINAL NOTICE- 60 DAYS delinquent**

THAT when any assessments or house charges in an amount greater than \$250 that are not received and processed on behalf of the Association at the address of collection by the 60<sup>th</sup> day after the date when the assessment or house charge was due,, the owner will receive, by REGULAR AND CERTIFIED US Mail for US addresses and via an international carrier for all international addresses, a letter stating amount due and additional interest for the time expired, giving the owner final notice to pay. The board will also turn matter over to the Association attorney. All legal costs in addition to the costs already stated to be the responsibility of the delinquent owner.

**SECTION 5: WRITE OFF SMALL BALANCES**

THAT when any assessment or house charges in an amount less than \$250 becomes delinquent will be reviewed and presented to the President and/or Treasurer.

**SECTION 6: LIEN AND FORECLOSURE**

THAT management, once approved by the board president, is authorized to engage legal counsel who shall be and is hereby authorized to immediately commence lien and foreclosing proceedings after 90 days delinquent. All costs to be charged to the delinquent owner

**SECTION 7: STOPPING ACTION**

THAT President or Treasurer of the Board of Directors may direct Agent or the Association's legal counsel to stop collection proceedings, or negotiate fair settlement against any unit owner on a case by case basis on behalf of the association

THEREFORE, BE IT RESOLVED THAT THIS POLICY WILL GO INTO EFFECT \_\_\_\_\_

Agreed to by:

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Officer on Behalf of the River Strand Golf and Country Club, Inc.

## COLLECTION PROCESS TIME LINE OF ACTIONS

- 1) November of prior year: Budget is passed setting assessment for next year
- 2) December of prior year: statements are mailed to unit owners as a courtesy
- 3) January, April, July, and October: on the first of each of these months an assessment installment is due
- 4) House charges are due the 1<sup>st</sup> of the following month
- 5) A reminder shall be sent after 15 days past due advising of potential interest charges and the loss of all use privileges.
- 6) Any credit card or check declined will suspend ability to house charge. A courtesy call will be made.
- 7) 30 DAYS: FIRST NOTICE: Interest (18% per year) added to account. Suspend all use rights.
- 8) 45 DAYS: SECOND NOTICE: Interest (18% per year) added to account- phone call
- 9) 60 DAYS: FINAL NOTICE: Interest and threat of legal action
- 10) 90 DAYS: Board action to turnover to legal, and if applicable garnishment of rent proceeds. Legal fees and interest added to account.

## ATTORNEY ACTION TIME LINE (to start at 90 days):

- 1) File Notice of intent to create lien (90<sup>th</sup> day)
- 2) File Notice of intent to Foreclose (135<sup>th</sup> day)
- 3) Record lien (135<sup>th</sup> day)
- 4) Foreclosure Lawsuit Filed (165<sup>th</sup> day)
- 5) First notice of court hearing (225<sup>th</sup> day)

Letterhead

Date

VIA: Email and US Mail

Unit owner(s)

Address

Tenant

Address

RE: River Strand Golf and Country Club, Inc. (Association)

FIRST NOTICE OF DELINQUENT OBLIGATION TO THE ASSOCIATION (mailed at 30 days past due):

Dear Member:

This letter is to remind you of your obligation to pay assessments fees and house charges to the River Strand Golf and Country Club per section 9.5 of the Club Covenants, Codes, and Restrictions of which you agreed to abide when you purchased your home.

Your account is currently more than thirty (30) days past due and your privileges have been suspended.

Interest has been added to your account per FL Statute 720.3085(d) (3) at the rate of 18% per annum and will continue to accrue until your obligations under the declaration have been fulfilled. Payments made will apply first to interest before being applied to principal.

To help with processing your payment the association can accept credit cards and debit card processing by contacting the administrative office. Please contact our office at the number below to immediately process your payment.

Thank you for your attention in this matter. Regards,

Shaun Fitzer, Community Manager

Authorized by the River Strand Golf and Country Club Board of Directors

Letterhead

Date

VIA: Email and US Mail

Unit owner(s)

Address

Tenant

Address

RE: River Strand Golf and Country Club, Inc. (Association)

SECOND NOTICE OF DELINQUENT OBLIGATION TO THE ASSOCIATION (mailed at 45 days past due):

Dear Member:

This letter is to remind you that you are now over 45 days delinquent in your obligation to pay the association in the manner to which you agreed when you purchased your home. Interest is being accrued at a rate of 18% per annum and will continue to accrue until paid in full.

Previously we sent you a friendly reminder of your past due balance, and a 30-day notice of delinquency.

Once an account becomes 60 days or more delinquent the board of director may engage legal counsel with all fees to be the responsibility of the delinquent party

Payments are accepted through our administrative office in the form of credit cards, and debit cards. Please contact us to arrange payment to avoid any unnecessary inconvenience or additional costs to you and the club.

Your immediate attention in this matter is greatly appreciated.

Regards,

Shaun Fitzer, Community

Manager,

Authorized by the River Strand Golf and Country Club Board of Directors

Letterhead

Date

VIA: Email and US Mail

Unit owner(s)

Address

Tenant

Address

RE: River Strand Golf and Country Club, Inc. (Association)

THIRD NOTICE OF DELINQUENT OBLIGATION TO THE ASSOCIATION (mailed at 60 days past due)

Dear Member:

You have been sent two previous notices of your obligation to pay past due obligations to the association per the association Covenants, Codes, and Restrictions which you agreed to abide by when you purchased your home. You are now more than 60 days' delinquent in that obligation to the association.

Additional interest has been added to your account and will continue to accrue at a rate of 18% per annum.

At this point the board has been notified of the delinquency and is considering engaging legal counsel with all fees to be the responsibility of the delinquent party

You may make payment of the amount due at any time by contacting our office by credit card, or debit card.

Your immediate attention in this matter is greatly appreciated. Regards,

Shaun Fitzer, Community Manager

Authorized by the River Strand Golf and Country Club Board of Directors



Letterhead

Date

VIA: Email and US Mail

Unit owner(s)

Address

Tenant

Address

RE: River Strand Golf and Country Club, Inc. (Association)

Delinquent Monetary Obligations and Engagement of Legal Counsel (sent after board approval)

Dear Unit Owner(s):

Pursuant to section 720.305(a), Florida Statute where a unit owner is more than ninety (90) days delinquent in paying any monetary obligation due to the Association, the Association has the authority to suspend the right of the Unit Owner or a Unit's occupant, licensee, or invitee to use the Common Elements, including the pool, pool area, spa, club room, and fitness center, tennis, golfing facilities (if applicable) According to the enclosed statement, you are currently more than ninety (90) days delinquent in paying monetary obligation to the Association.

As a result of this delinquency and pursuant to Section 720.305, FL Statutes, the Board of Directors met on (INSERT DATE) and voted to engage legal counsel with all fees to be the responsibility of the delinquent party

Your immediate cooperation is expected. Sincerely,

Authorized by the River Strand Golf and Country Club Board of Directors

RE: River Strand Golf and Country Club Association, Inc. (Association)

## Delinquent Monetary Obligations and Notice of Collection of Rent

Dear Unit Owner(s) and Tenant(s):

Pursuant to section 720.305, Florida Statute if a Unit is occupied by a Tenant and the Unit Owner is Delinquent in paying any monetary obligation due to the Association, the Association may demand the Tenant pay the future monetary obligation due to the Association, and the tenant must make such payment. According to the enclosed ledger, you are currently more than ninety (90) days delinquent in paying monetary obligation to the Association.

As a result of this delinquency and pursuant to Section 720.305, FL Statutes, the Association demands that the Tenant use the rent money to pay all future assessments coming due. Accordingly, the Tenant should send \$\_\_\_\_\_ (periodic assessment amount) on the first of each month/quarter (circle on) to the Association via (INSERT PAYMENT ADDRESS). <If the amount to be received by the association is less than the rent the Tenant should be advised to send the remainder of the rent payment to the Unit Owner>. If the Association does not receive payment from the Tenant, the Association may sue for eviction of the Tenant. Further, payment of future monetary obligation by the Tenant does not preclude the Association from pursuing collections for past due amounts owed from the Unit Owner.

This demand is continuing in nature and the Tenant must continue to pay the rent to the Association until the Association releases the Tenant or the Tenant discontinues the tenancy of the unit. The Tenant will not be considered released from these obligation until all delinquent amounts owed to the Association by the Unit Owner are paid in full and a letter is sent to both the Unit Owner and the Tenant stating such release.

Your full cooperation is expected.

Sincerely,

Authorized by the River Strand Golf and Country Club Board of Directors