

**HIGHLAND HILLS MAINTENANCE COMMISSION**  
**Board of Trustees**

**BOARD POLICY NO: 2-1**

Dated: 2 September 1992  
Last Revised: 3 October 2007

(Notice: This Policy supersedes all previous HHMC Board actions related to this subject.)

**TITLE: ASSESSMENTS**

**PRIMARY RESPONSIBILITY: TREASURER**

**REFERENCES:**

- 1) HHMC Protective Covenants & Restrictions, #20, 1983
- 2) HHMC By-Laws, Article IV, Section 5C
- 3) HHMC By-Laws, Article V, Sections 7B & C
- 4) HHMC By-Laws, Article XI, Sections 1, 2 & 3
- 5) Board Policy 11-1 (Annual Mowing/Noxious Weed Control)

**PURPOSE:**

All HHMC members are assessed annually (and may be specially assessed) to provide for maintenance of our common roads, drainage ditches and catch basins, for administrative costs and expenses of the Commission, for road and other reserves, and for other common purposes. Those members who own undeveloped lots and who elect to participate in the annual mowing arrangement between HHMC (as intermediary) and a contractor chosen through competitive bidding are separately assessed the cost of such mowing.

This Policy provides information regarding such assessments.

**ANNUAL AND SPECIAL ASSESSMENTS:**

- 1. Annual Assessments:** The amount for each year is based on an analysis of the expenditures for the previous year, a budget of the expected expenses for the assessment year, and an analysis of the adequacy of reserves. A proposed budget is prepared, submitted to the Board, adopted by the Board (either as presented or with revisions), and submitted to the membership for ratification. The assessment per member is on a per-acre basis, except that a lot of less than one acre is assessed as a full acre.
- 2. Special Assessments:** Any special assessment would be based on an unexpected need for funds prior to the due date for the next annual assessment for one or more of the purposes for which annual assessments may be made. After approval by the Board, it would be submitted to the membership for ratification. The assessment

per member would be on a per-acre basis, except that a lot of less than one acre would be assessed as a full acre.

- 3. Due Dates:** Annual maintenance assessment payments are due on January 1<sup>st</sup> and are delinquent if not paid on or before that date. Invoices for them are mailed on or about December 1<sup>st</sup> -- at least 30 days in advance of the due date. Any special assessment payments are due as stated in the notices thereof mailed to members and are delinquent if not then paid. Invoices for them are also mailed at least 30 days in advance of the due date.

**4. Consequences of Late Payment:**

Any annual or special assessment not paid by its due date bears interest from its due date at the rate of 12%. A late fee in an amount set by the Board from time to time and published to members is also imposed. The fee currently set by the Board for late payment of an annual assessment is as follows: \$100 per lot for the first offense occurring in 2008 or thereafter. For each subsequent year that the same owner is in arrears for the same lot, the amount will increase \$100; but the fee will not exceed the amount of that year's annual assessment.

On or after the day following the due date, a lien may be recorded on a delinquent owner's lot(s) for which the assessment remains unpaid. In such event, a notice of the lien, including a statement of the filing costs incurred, is forwarded to the delinquent property owner. Such a lien precludes the sale of the property until the delinquent assessment, interest, late fee and associated legal and filing costs incurred by the Commission have been paid.

In accordance with Article IV, Section 5C of our By-laws, voting rights of delinquent property owners are suspended.

- 5. Account Statement:** In accordance with Article XI, Section 3 of our By-laws, upon the request of any member, the Board will issue a document setting forth whether each and every assessment levied against the property has been paid.

**MOWING ASSESSMENTS:**

- 1. Mowing Assessments:** These assessments provide funds for mowing the undeveloped lots of those owners who elect to participate in the annual mowing arrangement. The arrangement is described in Board Policy 11-1.
- 2. Due Dates:** Mowing assessment payments are due approximately one month after the mailing of invoices for them (on a date specified in the mailing) and are delinquent if not then paid. Invoices are mailed not later than March 15<sup>th</sup>.
- 3. Consequence of Late Payment:** Any mowing assessment not paid by its due date may result in the owner being removed from the annual mowing arrangement and

remaining responsible for mowing their own lot(s), or arranging directly with someone else to mow their lot(s) for them, in accordance with Board Policy 11-1.

**The Commission has no desire to charge members interest or late fees or to file liens. To avoid these consequences, assessments should be paid within the prescribed time frame.**