**THE RETREAT OF CLEMSON HORIZONTAL PROPERTY REGIME ASSOCIATION, INC.**

**Resolution of the Board of Directors**

WHEREAS, "Assessments," as used in this Resolution, includes all amounts validly assessed against a Lot Owner ("Owner") or owed by an Owner to the Retreat of Clemson Horizontal Property Regime Association, Inc. (“Association”), pursuant to the *Master Deed of the Retreat of Clemson* (“Master Deed”); *Bylaws of the Retreat of Clemson Horizontal Property Regime Association, Inc.* (“Bylaws”); *Rules and Regulations*; and any Resolution by the Board of Directors, including, but not limited to annual expenses, common expenses, interest, fees, fines, attorney fees and all collection costs;

WHEREAS, the Master Deed, Bylaws, and Rules and Regulations are binding upon the Owners;

WHEREAS, Section 6.01 of the Master Deed authorizes the Association the right to make, levy, and collect Assessments against Owners to pay common expenses and such other expenses which the Association is authorized to incur;

WHEREAS, Section 6.07 of the Master Deed provides that “[e]ach unit owner shall be assessed and is individually liable for a proportionate share of the Common Expenses with each Unit Owner’s proportionate share of Common Expenses” and that “[e]ach unit owner shall be assessed and is individually liable for a proportionate share of the Limited Common Expenses with each Unit Owner’s proportionate share of Common Expenses”;

WHEREAS, Section 6.09 of the Master Deed provides that delinquent assessments shall bear a rate of interest determined by the Board of Directors; that the Association shall have a lien against units for delinquent assessments; that said lien shall secure any advances made by the Association; and that said lien shall include interest on the delinquent amount, costs, expenses, and reasonable attorney fees;

WHEREAS, Section 6.10 of the Master Deed provides that, by seeking one remedy, such as foreclosure, the Association will not be precluded from also seeking another remedy such as filing suit to collect the delinquent amount;

WHEREAS, Article III, Section 1 of the By-Laws provides that the “affairs of the Association shall be managed by or under the direction of its Board of Directors”;

WHEREAS, Article III, Section 9 of the By-Laws provides that “[a]ny action that may be taken by the Board of Directors at a meeting may be taken without a meeting if consent, in writing, setting forth the action so taken, shall be signed by all of the directors”;

WHEREAS, from time to time Owners become delinquent in the payments of their Assessments, and it is imperative that Assessments are timely received by the Association;

WHEREAS, the Board deems it in the Association's best interest to adopt a uniform and systematic procedure for the collection of unpaid Assessments in a timely manner so as to minimize the Association's loss of Assessment revenue.

NOW, BE IT RESOLVED, that the following Debt Collection Policy for Delinquent Assessments be adopted to provide for the uniform and systematic procedure for the collection of unpaid assessments, and that said Debt Collection Policy will become effective as of April 1, 2014:

“**DEBT COLLECTION POLICY FOR DELINQUENT ASSESSMENTS**

As a property owner at the Retreat of Clemson, you are required to be a member of the Retreat of Clemson Horizontal Property Regime Association, Inc. (“Association”). Timely payments from all members are essential to ensure the operating, administrative and maintenance costs are met for the Association. Unfortunately, not all members are meeting their obligations and paying their assessments in a timely manner. We therefore are establishing the following policy for the collection of delinquent payments due to the Association, including all assessments and fines (“Payment”):

A Payment is Delinquent if it is not paid on or before the date it first becomes due (“Due Date”), and a property owner/member has a Delinquent Account if one or more payments are Delinquent. All Payments are due on the first day of each month, unless notice of another date is given by the Association. Interest will accrue on Delinquent Payments at the rate of eighteen percent (18%) per annum until paid in full. The following steps will be taken for the collection of Delinquent Payments:

1. A first notice will be mailed to the property owner/member advising that they have a Delinquent Account. If the Association receives the Delinquent Payment within thirty (30) days of its Due Date, the interest penalty will be waived. If the Association has not received the Delinquent Payment within thirty (30) days of its Due Date, the accrued interest will not be waived with interest being assessed retroactively to the first day on which said Payment became Delinquent.
2. Failure to make the Delinquent Payment within thirty (30) days of the Due Date will result in a second notice being mailed to the property owner/member advising that their account remains Delinquent and that a lien may be filed on their property or their account may be turned over to the Association’s attorney to collect the Delinquent Payments along with interest charges, attorney fees and costs of collection, if the Association does not receive the Delinquent Payment within sixty (60) days of its Due Date.
3. If the Association does not receive a Delinquent Payment within sixty (60) days of its Due Date, a formal lien may be filed against the property owner/member's property with the Pickens County Register of Deeds, and the Delinquent Account may be turned over to the Association’s attorney to pursue legal remedies to collect the debt, interest charges, attorney fees and costs of collection.

This policy will become effective as of April 1, 2014. All property owners/members with Delinquent Accounts on that date will have a sixty (60) day grace period to pay said Delinquent Accounts. Therefore, any property owner/member with a Delinquent Account as of April 1, 2014, will have until May 31, 2014, to make any Payments that were Delinquent as of April 1, 2014, without penalty. Any accounts which remain Delinquent after May 31, 2014, will accrue interest on the Delinquent amount retroactively to April 1, 2014. Further, a formal lien may be filed against the property owner/member's property with the Pickens County Register of Deeds or the Delinquent Account may be turned over to the Association’s attorney to pursue legal remedies to collect the debt, interest charges and attorney fees. Further, any Payments which become Delinquent after April 1, 2014, will have the collections steps applied as set forth above.”

BE IT FURTHER RESOLVED, that all legal fees and costs incurred in the collection of a delinquent account shall be assessed against the delinquent Owner and shall be collected therefrom as provided in the Master Deed and any applicable addendums and amendments thereto.

BE IT FURTHER RESOLVED, that nothing in this Resolution precludes the Board from taking further action permitted by the Association's governing documents or applicable law in the collection of unpaid assessments.

BE IT FURTHER RESOLVED, that a copy of the Debt Collection Policy will be sent to all Owners at their last known address.

IN WITNESS WHEREOF, the undersigned, being all the Members of the Board of Directors of the Retreat of Clemson Horizontal Property Regime Association, Inc., have executed and adopted this Resolution of the Debt Collection Policy this 1st day of April, 2014.

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Steve V. Worthy, President

IN WITNESS WHEREOF, the undersigned, being all the Members of the Board of Directors of the Retreat of Clemson Horizontal Property Regime Association, Inc., have executed and adopted this Resolution of the Debt Collection Policy this 1st day of April, 2014.

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David Carson, Treasurer

IN WITNESS WHEREOF, the undersigned, being all the Members of the Board of Directors of the Retreat of Clemson Horizontal Property Regime Association, Inc., have executed and adopted this Resolution of the Debt Collection Policy this 1st day of April, 2014.

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Robin Gordon, Secretary

IN WITNESS WHEREOF, the undersigned, being all the Members of the Board of Directors of the Retreat of Clemson Horizontal Property Regime Association, Inc., have executed and adopted this Resolution of the Debt Collection Policy this 1st day of April, 2014.

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Tad Barber

IN WITNESS WHEREOF, the undersigned, being all the Members of the Board of Directors of the Retreat of Clemson Horizontal Property Regime Association, Inc., have executed and adopted this Resolution of the Debt Collection Policy this 1st day of April, 2014.

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Sheri Beth Gottfried

IN WITNESS WHEREOF, the undersigned, being all the Members of the Board of Directors of the Retreat of Clemson Horizontal Property Regime Association, Inc., have executed and adopted this Resolution of the Debt Collection Policy this 1st day of April, 2014.

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David Yokel

**CONSENT TO ACTION WITHOUT A MEETING**

**BY**

**THE BOARD OF DIRECTORS**

**OF**

**THE RETREAT OF CLEMSON HORIZONTAL PROPERTY REGIME ASSOCIATION, INC.**

The undersigned member of the Board of Directors, pursuant to Article III, Section 9 of the By-Laws of the Retreat of Clemson Horizontal Property Regime Association, Inc., hereby agrees and consents to the adoption of the Resolution adopting the Debt Collection Policy for Delinquent Assessments without a meeting being convened.

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Tad Barber Date

**CONSENT TO ACTION WITHOUT A MEETING**

**BY**

**THE BOARD OF DIRECTORS**

**OF**

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David Carson Date

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**BY**

**THE BOARD OF DIRECTORS**

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Robin Gordon Date

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Sheri Beth Gottfried Date

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Steve V. Worthy Date

**CONSENT TO ACTION WITHOUT A MEETING**

**BY**

**THE BOARD OF DIRECTORS**

**OF**

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David Yokel Date