

**HAWK'S NEST TOWN  
HOMES OWNERS  
ASSOCIATION**

**RESPONSIBLE GOVERNANCE  
POLICIES**

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The Hawk's Nest Town Homes Owners Association, a Colorado nonprofit corporation (the "Association"), for the purpose of complying with C.R.S. § 38-33.3-209.5, hereby adopts the following responsible governance policies, procedures, and rules and regulations. Unless otherwise defined herein, terms defined in the Condominium Declaration for Hawk's Nest Town Homes recorded in the real property records of Gunnison County, Colorado as Reception No. 558016, as amended (the "Covenants"), and the Association's Articles of Incorporation (the "Articles") and the Association's bylaws, as amended (the "Bylaws") shall have the same meaning herein. The Declaration, Articles, and Bylaws shall hereafter be collectively referred to as the "Governing Documents."

**Article 1: Collection of Unpaid Assessments – C.R.S. § 38-33.3-209.5(1)(b)(I) and C.R.S. § 38-33.3-209.5(5)(a):**

1. Assessments are due within 30 days of the date of notice for such assessment. If the assessments are not paid when due, then such assessments shall become delinquent.
2. Interest on delinquent assessments, including recovery of attorneys' fees incurred in pursuing delinquent assessments, is 18% per annum from the date the assessments became delinquent.
3. The Association charges a returned check charge of \$15.00, which may be waived by the Association for good cause shown. A late fee of \$25.00 per month is charged on all delinquent assessments.
4. Before the Association turns over a delinquent account of an Owner to a collection agency or refers it to an attorney for legal action, the Association must send the Owner a notice of delinquency specifying:
  - A. The total amount due, with an accounting of how the total was determined;
  - B. Whether the opportunity to enter into a payment plan exists and instructions for contacting the Association to enter into such a payment plan;
  - C. The name and contact information for the individual the Owner may contact to request a copy of the Owner's ledger in order to verify the amount of the debt; and
  - D. That action is required to cure the delinquency and that failure to do so within thirty days may result in the Owner's delinquent account being turned over to a collection agency, a lawsuit being filed against the Owner, the filing and foreclosure of a lien against the Owner's property, or other remedies available under Colorado law.
5. In accordance with C.R.S. § 38-33.3-316.3, a delinquent Owner may be eligible to enter into a payment plan, but not where:
  - A. The Owner does not occupy the Owner's Unit and has acquired the Owner's Unit as a result of a default of a security interest encumbering the lot or foreclosure of a lien by the Association; or
  - B. The Owner has previously entered into a payment plan with the Association; or