

**GAME TRAIL ASSOCIATION, INC.
RULE AND REGULATION NO. 13-01
LATE PAYMENT POLICY**

Rule and Regulation 12-10 is hereby suspended and superseded by this Rule and Regulation.

In fairness to the vast majority of Game Trail owners who pay their obligations to the Association promptly, the following Rule and Regulation has been adopted by the Board of Directors pursuant to the Association's Bylaws and the Declarations and the Colorado Common Interest Ownership Act.

Normal annual assessments are billed on January 1 of every year and are due on January 31 of that year. Assessments other than the annual assessment are generally due within thirty (30) days of the invoice date. If the Board of Directors believes that a term longer than thirty (30) days is appropriate for special assessments, the longer term will be noted on the invoice.

1. Late Payment Penalty. An invoice, for any purpose, to a Game Trail owner by the Association that becomes sixty (60) days delinquent will have a late payment penalty of \$45.00 imposed. The \$45.00 penalty is a one-time assessment that will be levied against the original invoice irrespective of the kind or number of items billed. Association dues, fees, general and special assessments, fines, tree removal, water connection, or any other items properly charged to the owner by the Association are examples that qualify for the late fee.

2. Returned Check Charges. A \$25.00 fee will be charged for any returned check.

3. Interest. Charges that remain unpaid after becoming sixty (60) days delinquent will also be subject to interest, retroactive to the original due date of the invoice. Interest will be levied monthly, at a simple rate of 12% per annum (1% per month). Interest will not be levied on interest, returned check charges, and late fees. The Board in its discretion may choose to charge interest on any associated legal and/or other collection costs.

4. Payment Plans. Owners with a delinquent account will be entitled to enter into a payment plan that will allow the owner to pay off the delinquent amount in equal installments over a period of six (6) months. The Board of Directors in its discretion may choose to enter into payment plans extending over a longer period. The Board of Directors is not obligated to negotiate a payment plan with an owner who has previously entered into a payment plan that became effective after January 1, 2014. The Board is also not obligated to enter into a payment plan with an owner that does not occupy the property and has acquired the property as a result of foreclosure.

Nothing in this section prohibits Game Trail Association from pursuing legal action against an owner if the owner fails to comply with the terms of his or her payment plan. An owner's failure to remit payment of an agreed-upon installment or to remain current with regular assessments as they come due during the period of the payment plan constitutes a failure to comply with the terms of the payment plan.

5. Collection Action. Before a delinquent account of an owner is turned over to a collection agency or referred to an attorney for legal action, the owner will be sent a notice of delinquency specifying:

- The total amount due with an accounting of how the total was determined;
- Whether the opportunity to enter a payment plan exists and instructions for contacting Game Trail to enter into a payment plan;
- The name and contact information for the individual the owner may contact to request a copy of the ledger in order to verify the amount of the debt; and
- That action is required to cure the delinquency and that failure to do so within thirty (30) days may result in the owners 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.

6. Added Legal or Other Costs. Any legal or other costs incurred in collection actions will be added to the owner's indebtedness.

7. Partial Payments. Any payment received on an owner's account will be applied to the earliest delinquent amount remaining unpaid. If an invoice is not paid in full before it becomes sixty (60) days delinquent, the entire \$45.00 late payment penalty will be assessed.

8. Legal Remedies. Game Trail's Covenants and Colorado law provides Game Trail with legal remedies to collect delinquent accounts including filing a lawsuit against the owner, or the filing and foreclosure of a lien against the owner's property.