Bella Terra of Southwest Florida, Inc.

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January 22, 2025

BOARD RESOLUTION ADOPTING THE FOLLOWING POLICIES AND PROCEDURES.

- **COLLECTION OF DELINQUENT ACCOUNTS PROCEDURES**
- **PAYMENT PLAN POLICY**
- **WALKING PATH SAFETY POLICY**

The Board of Directors hereby adopts the attached Policy and Procedure for collection of delinquent accounts procedures, payment plan and walking path safety policy.

There are six (6) total Board members. The number of Board members who voted in favor of this Resolution is **6**. The number of Board members that voted against this Resolution is **0**. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

BELLA TERRA OF SOUTHWEST FLORIDA, INC

By:_____
K.J Moses, President
Date: January 22, 2025

(CORPORATE SEAL)

Bella Terra of Southwest Florida
Policies & Procedures

Title: **PROCEDURES FOR THE COLLECTION OF DELINQUENT ACCOUNTS**		Page #: 1 / 2
	Effective Date: **1/22/2025**	
Department: Admin	Date of Previous Issue: 06/23/2021	
Distribution: CAM, Board Members, Security, Members		
Reference: **Amended Rules & Regulations**		

APPROVAL

	1/22/2025
Bella Terra Board	Date

The following details the procedure to be applied that governs the collection process for the Bella Terra Master Association. This procedure is intended to facilitate oversight, decision making and to improve the collection process regarding delinquent member accounts. This process does not apply to any sums that are actively being disputed. However once a resolution is reached or the dispute is no longer active, the timing for notifications and charges will commence and follow the same process as detailed below:

1. (As of the 11th day) following the quarterly due date, A **Late Notice Letter** shall be sent to the homeowner. If no payment has been made 31 days past the due date and the account remains outstanding a Late Fee of $25.00 along with Interest at 18% per annum will be added to the owner's account.
2. (As of the 31st day) following the quarterly due date, A **Second Late Notice Letter** shall be sent to the homeowner. If no payment has been made an additional fee of $25.00 will be posted to the owner's account. The second notice shall include a warning that access to amenities and the resident transponder lane is subject to suspension along with the Cable and Internet services provided by the HOA. Additional interest at 18% per annum will also be added to the owner's account.
3. (As of the 61st day) following the quarterly due date, A **45 Day Lien Letter** shall be sent to the homeowner and a charge of $75.00 applied to the owner's account. This letter shall state that all amounts are due and payable immediately or the HOA will initiate legal proceedings to recover all monies due. In addition, all access to amenities and the resident transponder lane should be suspended. Hotwire should

be notified to turn off Cable and Internet access immediately. Interest at 18% per annum will be added to the owner's account.

4. (As of the 90th day) following the quarterly due date, A **Collections Letter** shall be sent to the homeowner that the account has been sent for legal collection and is subject to a Claim of Lien against the property in the next 15 days. Interest at 18% per annum will be added to the owner's account.
5. (As of the 120th day) following the quarterly due date and if still unpaid, the association attorney will file a claim of lien against the property and all costs associated with the process would be assessed and added to the owner's account. Once a lien has been filed, the delinquent homeowner will have an additional 45 days to pay the amount due in full before the association may proceed with a lien foreclosure on the property. Interest at 18% per annum will be added to the owner's account. **The Board of Directors will receive an email from the Accounts Receivable Department when the filing is ready for action and will have the sole discretion to approve or deny the recording of a claim of lien.**

Authority: Florida Statute 720.308; Bella Terra of SW Florida Declaration of Covenants, Conditions, Restrictions Section 9

Summary of Fines and Fees:

Late notice: $25.00 (1st and 2nd notices)

Lien letter: $75.00

Collections letter: $75.00

Interest: 18% per annum

Legal Fees: TBD once the lien has been filed and determined

Fines and fees can be assessed for any unpaid balance on an owners account regardless of the character of the charge (maintenance and/or cable fees, fines, and additional charges).

Due consideration should be given to any hardships on a case by case basis.

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Title: **PROCESS FOR A DELINQUENT ACCOUNT PAYMENT PLAN**		Page #: 1 / 2
	Effective Date: **1/22/2025**	
Department: Admin	Date of Previous Issue: New Policy	
Distribution: CAM, Board Members, Security, Members		
Reference: **Amended Rules & Regulations**		

APPROVAL

	1/22/2025
Bella Terra Board	Date

The following is the parameters to establish a payment plan for residents that have a delinquency in their account with the Master Board of Directors for quarterly fees. Upon the direction of the board, Alliant will work with the HOA attorney and the member for resolving these accounts:

The Board of Directors directs Alliant to review all delinquent accounts on a monthly basis for all open balances on the individual account ledgers which may include maintenance, cable, fees, fines or any other valid charges or assessments and provide appropriate follow-up and guidance to the office staff when preparing a payment plan package for Board approval. Any open balances that in dispute are not subject to these conditions until they are resolved. The following standards should be followed as the minimum parameters for delinquency resolution:

- Any account that has a delinquency of less than $2,500.00 may have a payment plan established. The minimum quarterly payment shall be the lesser of 10% of the outstanding delinquency or $250.00. These payments should be included each quarter and are in addition to the regular quarterly fees due. Additional amounts should be included until the full amount of the delinquency is extinguished.
- Any account that has a delinquency of greater than $2,500.00 may have a payment plan established with the following conditions: 25% of the full delinquency must be paid immediately. The minimum quarterly payment shall then be at least $250.00 above the regular quarterly fees until the full amount of the delinquency is extinguished. Consideration can be given for circumstances of hardship on a case-by-case basis.

NOTE:

- All payment plans must be set up on the ACH (auto-draft) payment program with Alliance Bank and the monies due each quarter (maintenance / cable fees and the minimum delinquency payment) deducted automatically each quarter in accordance with the payment plan detailed above.
- All payment plans must state in the document (to be agreed to and acknowledged by the member) that at any time a payment is missed, or the account becomes delinquent again:
    - The total balance is accelerated and due immediately. All late fees, interest and any other fees or expenses that were waived during the payment plan program will be reinstated and added to the total amount due.
    - Until the total amount is satisfied, all access to amenities (cards and transponders) will be suspended. Cable and Internet services provided by the HOA will also be terminated until the account is brought current.

Bella Terra of Southwest Florida
Policies & Procedures

Title: **BELLA TERRA WALKING PATH SAFETY POLICY**		Page #: 1 / 3
	Effective Date: **1/22/2025**	
Department: Admin	Date of Previous Issue: New Policy	
Distribution: CAM, Board Members, Security, Realtors, Members		
Reference: **Amended Rules & Regulations**		

APPROVAL

	1/22/2025
Bella Terra Board	Date

Purpose:

The purpose of this Walking Path Safety Policy is to ensure the safety and well-being of all individuals who use sidewalks or designated walking paths within Bella Terra. This policy aims to provide clear guidelines and expectations for maintaining safe pathways and walking practices.

Scope:

This policy applies to all owners, residents, renters, visitors, contractors, and any other individuals who utilize the sidewalks or walking paths within the community.

General Guidelines:

1. **Path Maintenance and Inspections:**
   - All walking paths will be regularly inspected for hazards, including uneven surfaces, debris, standing water, and any other obstacles.
   - Any hazardous conditions should be reported immediately to the Office for prompt resolution.
2. **Signage:**
   - There is no signage indicating any travel direction on these paths. All individuals should stay to the right side in the direction they are walking. .
   - Signs or cones may be used to communicate any potential hazards, such as construction, repairs, uneven surfaces or wet conditions. Please obey all communications and walk around these obstructions.

3. **Lighting:**
    - Walking paths and sidewalks are not completely lit during the evening or low-light hours. Due care should be maintained while walking at night.
    - Please report any lighting outages or malfunctions to the office.
4. **Surface Condition:**
    - We will endeavor to keep walking paths and sidewalks clear of debris and obstructions.
    - Uneven surfaces or cracks in either sidewalks or paths should be promptly reported to the office for repair.
5. **Pedestrian Behavior:**
    - Walkers should stay within designated walking paths and follow all posted signs, markings or restrictions. (i.e. do not walk across or through any of the preserve areas or noted CDD property.
    - Speeding, running, or horseplay on walking paths is prohibited to minimize the risk of accidents. Use of e-bikes, e-scooters, golf carts or any motorized or pedal assisted device is strictly prohibited on the sidewalks or walking paths. Operation of motorized, pedal, or assisted pedal devices in the community roadways are subject to the posted speed limits and should be operated on the right side of the street (in the direction of traffic). Please pay special attention to moving vehicles in the street.
    - Pedestrians should always be mindful of existing conditions and overall usage and adjust walking speed accordingly.
6. **Weather-Related Precautions:**
    - During adverse weather conditions (rain, wind, hurricanes), due care should be maintained, especially regarding the possibility of slippery conditions or airborne vegetation and materials.
7. **Accessibility:**
    - Walking paths are accessible to individuals with disabilities. Existing sidewalks and paths are navigable for all pedestrians, including those using mobility aids.
8. **Personal Protective Equipment (PPE):**
    - Operators of bicycles and all electrically assisted pedal or wheeled devices should wear appropriate safety equipment. This equipment, such as high-visibility vests or having reflectors would be utilized in the evening. Additional PPE such as helmets should be worn at all times.
9. **Emergency Response:**
    - In case of an emergency, pedestrians should immediately report incidents or accidents to designated personnel (office, security, rover) or call emergency services (911) as necessary.
    - First aid kits are available at locations within the community (clubhouse, pools, gym, etc.) for use in case of minor injuries.
10. **Behavioral Expectations:**
    - Pedestrians are expected to be alert and aware of their surroundings at all times.
    - Walking paths and sidewalks should be used for walking only. However, anyone cycling, skateboarding, or other non-pedestrian activities should try to avoid all

- pedestrians by utilizing non-path roadways. Remember, pedestrians always have the right of way.

11. Maintenance Vehicles:

- Golf carts may be driven on walking paths or sidewalks for maintenance issues only (i.e. butterfly garden, baseball field, soccer field, tennis or pickleball courts, etc.) for the sole purpose of transporting maintenance or repair items for the amenities. Permission **MUST** be obtained from the Office or Board of Directors prior to driving on any pedestrian path. Restrictive devices (i.e. bollards on the walking path) can be temporarily removed prior providing enough notice is received by the office.

Enforcement:

Any individual found violating this policy may be subject to corrective actions, including but not limited to warnings, fines, or suspension of amenity access.

Goal:

If everyone follows this Walking Path Safety Policy, we can ensure that all pedestrians have a safe and enjoyable experience in our community.