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VILG-1 - (A)(B)(C)

# THE VILLAGE HOMEOWNERS ASSOCIATION

## Resolution of the Board of Directors

SG-VILG-1-A  
SG-VILG-1-B  
SG-VILG-1-C

WHEREAS, pursuant to the Declaration of Covenants, Conditions and Restrictions, the Board of Directors is vested with the authority to promulgate and adopt rules and regulations as the Board deems necessary or desirable to aid it in administering the affairs of the Association and to protect the common interests of all members;

WHEREAS, the Declaration provides that all owners must pay assessments as they come due;

WHEREAS, the Board of Directors deems it necessary and in the best interest of the Association to adopt a policy pursuant to the Utah Community Association Act whereby the Association may collect rent directly from the tenants of delinquent owners.

**NOW, THEREFORE, IT IS RESOLVED** that the following policy be adopted by the Board of Directors:

**Future Lease Payments.** If the Owner of a Lot who is leasing the Lot fails to pay an assessment for more than 60 days after the assessment is due, the Board of Directors, upon compliance with this section, may demand that the tenant pay to the Association all future lease payments due to the Owner, beginning with the next monthly or other periodic payment, until the amount due to the Association is paid.

(a) **Notice to the Owner.** The manager or Board of Directors shall give the Owner written notice, in accordance with the Declaration, Bylaws, or Association rules, of its intent to demand full payment from the tenant under this section. The notice shall:

- (1) provide notice to the tenant that full payment of the remaining lease payments, beginning with the next monthly or other periodic payment unless the assessment is received within the time period provided in the Declaration, must be paid directly to the Association at the following address: (address to which payment should be mailed, payment must go to the attorney if the account has been turned over for collection);
- (2) state the amount of the assessment due, including any interest or late payment fee; and
- (3) state that any costs of collection, and other assessments that become due, may be added to the total amount due.

(b) **Notice to the Tenant.** If the Owner fails to pay the assessment due by the date specified in the notice described in Subsection (a), the manager or Board of Directors may deliver written notice to the tenant that demands future payments due to the Owner be paid to the Association pursuant to Subsection (c).

**DOC # 20080040387**

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(1) The manager or Board of Directors shall mail a copy of the notice described in this Subsection (b) to the Owner.

(2) Content of Notice. The notice provided to the tenant under this Subsection (b) shall state:

(i) that due to the Owner's failure to pay the assessment within the time period allowed, the Owner has been notified of the intent of the Board of Directors to collect all lease payments due to the Association;

(ii) that until notification by the Association that the assessment due, including any interest, collection cost, or late payment fee, has been paid, the tenant shall pay to the Association all future lease payments due to the Owner; and

(iii) that payment by the tenant to the Association in compliance with this Section will not constitute a default under the terms of the lease agreement.

(3) If a tenant makes payments in compliance with this Section, the Owner may not initiate an action against the tenant.

(c) All funds paid to the Association pursuant to this section shall be deposited in a separate account and disbursed to the Association until the assessment due is paid in full. Any remaining balance shall be paid to the Owner within five business days after payment in full to the Association.

(d) Within five business days after payment in full of the assessment, including any interest, late payment fee, and costs of collection, the manager or Board of Directors shall notify the tenant in writing that future lease payments are no longer due to the Association. The Association shall mail a copy of the notification to the Owner.

**NOW, BE IT FURTHER RESOLVED** that a copy of this resolution shall be distributed to all owners.

Date: 10-14-08

ATTEST

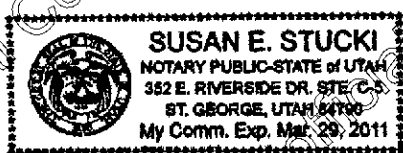
Patrick J. Judd  
President

Nancy Mahi  
Secretary

STATE OF UTAH )

County of Washington )

On the 14 day of October, 2008, personally appeared Patrick J. Judd and Nancy Mahi who, being first duly sworn, did that say that they are the President and Secretary of the Association and that said instrument was signed in behalf of said Association by authority of its Management Committee; and each of them acknowledged said instrument to be their voluntary act and deed.



Susan E. Stucki  
Notary Public for Utah