



Bien Venue Plantation

Bien Venue Plantation Property Owners Association, Inc.
bienvenueplantation.com

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Resolution No. 19003 Passed by the Board of Directors May 11, 2019

Rules and Guidelines for the Board to Address Financial Payment and Collection Guidance.

Whereas it is granted in the Declaration and the Bylaws of Bien Venue Plantation Property Owners Association;

Section B. Powers of the Association

The Association shall have, in addition to those powers listed in the Articles, all of the powers reasonably necessary to implement and effectuate the rules and objectives set forth in the: Declaration, these Bylaws and all other documents pertaining to the Association.

The Board is exercising it's right to implement rules and objectives with this resolution for Financial Payment and Collection guidance.

All financial obligations due to the Bien Venue Plantation P.O.A. (including, but not limited to, Assessments, Special Assessments, Interest, Deposits, Fees, Fines, Penalties, Damages, Legal, and related expenses) by an Owner(s) shall be governed by the following rules. Failure to comply shall constitute breach of obligation, and subject to further action by the Board.

- Annual Assessment: due no later than March 1 of each year.
- Special Assessment: due no later than 30 days after date of notice, or as directed by the Board, as an addition to the annual Assessment.
- Interest rate governed by current Code of Virginia.
- Construction Deposit: due at time of ACC approval, to be returned within 30 days of ACC sign off for compliance.
- Fees for Disclosure Package, due upon request as allowed by the Code of Virginia.
- Inspection of Records, Copying, Printing and related expenses. Due at time of request.
- Fines for violations of governing documents, Due time to be set by hearing Board or Tribunal, as governed by Code of Virginia.
- Penalties for violations of governing documents, Due time to be set by hearing Board or Tribunal, as governed by Code of Virginia.

- Damages caused by anyone under the owners' responsibility (including, but not limited to, owner, family, guests, tenants, employees, agents, or licensees) Due on Receipt of Notice.
- Legal, (Proceedings, filing, Attorney, other related consultation fees) Due on Receipt of Notice as governed by Code of Virginia.
- Related Expenses (including, but not limited to, printing, postage, research, consultation, and any reimbursement) Due on Receipt of Notice.
- Returned payments on your behalf to the association from a financial institution for any reason shall constitute a non-payment in addition to any charges related shall be Due on Receipt of Notice. [Second returned payment shall require all future payments be made by cash, cashier's check, money order]
- Payments shall be applied in the following order of priority:
 - Charges for attorney's and / or collection agency fees and cost.
 - Late Fees.
 - All interest accrued.
 - All other charges incurred by the Association as a result of any violation of the Declaration, By-laws, Rules, or Resolutions by an Owner, his family employee, agent or licensees.
 - Penalties assessed against the owner due to violation.
 - The annual assessment for each lot, including special assessment due as applicable.
- The Board is under no obligation to approve a payment plan.
- Should the Board approve and accept a payment plan. Failure to comply with terms shall accelerate payments to a due upon demand.
- All unpaid charges shall constitute an assessment and be governed as such to include collections.

Legal Proceedings. Failure to comply with any of the terms of the Declaration, the Articles, these Bylaws and the Rules and Regulations shall be grounds for relief, including without limitation, an action to recover any sums do for money damages, injunctive relief, foreclosure of the lien for nonpayment of all assessments, any other relief provided for in these Bylaws or any combination thereof including reasonable attorney's fees, and any other relief afforded by a court of competent jurisdiction, all of which relief may be sought by the Association, the Board, the Managing Agent and, if appropriate, any aggrieved Member and shall not constitute an election of remedies.

Should any provision set forth in this Resolution conflict with the terms of the Declaration, the terms of the Declaration shall govern. Also, should this Resolution conflict with the laws of the Commonwealth of Virginia, then Commonwealth of Virginia law shall govern.

BIEN VENUE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.

By: Linnie Baker Date: 5/10/19
Linnie Baker, President, Board of Directors

ATTEST:

I hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Board of Directors of Bien Venue Plantation Property Owners Association, Inc. on May 11, 2019

By: Sandra J Stone Date: 5/10/19