

HORSESHOE LAKE CORPORATION

Past Dues Delinquency Policy

Policy Background

A blanket lien exists on all properties in the corporation. When a property is sold the title company will contact the clerk to ensure all dues have been paid, if not the unpaid dues are garnered from the seller's proceeds. The corporation's fiscal year is from October 1 through September 30. Dues are due and payable on June 1. A 10% penalty is accrued each year on the unpaid dues as of October 1. Thirty days prior to each step taken below the property owner will be notified.

End of Fiscal Year (September 30) of Payment Due

Non-payment of dues will be considered delinquent.

60 days delinquent

The Corporation Clerk will send a notification of the amount owed to homeowners who are delinquent in paying Corporation dues, assessments and/or community road dues. The homeowner then has 60 days to contact the Corporation Clerk to bring their account up to date or establish a payment plan agreeable to the homeowner and the clerk on behalf of the Board of Trustees.

120 days delinquent

If, after 60 days the homeowner has not brought their account up to date or arranged a payment plan with the Board of Trustees, the Treasurer will then place a lien on the owner's property and notify the homeowner of placing of said lien. The credit bureaus will be sent the delinquent information to be added to homeowner's credit history. The homeowner has 60 days from date of the lien to bring their account current, including costs and fees incurred in recording/ discharging said lien and credit update.

180 days delinquent

If the second 60-day period has expired and the account has not been settled, the Corporation Clerk will then bring the homeowner's account to the attention of the Horseshoe Lake Corporation Board of Trustees (BOT) for initiation of foreclosure proceedings on the lien as provided for in MCL 455.219 and Article III, Section 3 of the Horseshoe Lake Corporation By laws.

Foreclosure by Advertisement where foreclose by scheduling a Sheriff's sale and advertising the sale in a local paper. Under Michigan's Foreclosure by Advertisement Law, publish a Notice of Sale once a week for four weeks, in a newspaper of general circulation in the county where the property is located. The notice must also be posted on the property at least 15 days after the first Notice of Sale is posted. If this action is taken, the lien will be foreclosed and the property sold at Sheriff Sale to satisfy the lien, including costs and attorney fees incurred by Board of Trustees. The Board of Trustees sincerely hopes this action will never be needed.