

**Bel Pre Recreational Association (BPRA) Board of Trustees
Minutes of Meeting of January 5, 2021**

1) Call to Order and review of teleconference guidelines

President Purdy called the meeting to order at 7:33 pm. The meeting was held by teleconference, with the teleconference participation guidelines in place. Purdy noted that 15 minutes are set aside each Board meeting for statements by Association members. This time is divided evenly between speakers; with a maximum of 5 minutes per speaker.

2) Roll Call

Secretary Swan called the roll. Board members present were President Karen Purdy, Vice President Mark Foraker, Treasurer Dave Pullen, Secretary Chris Swan, Ted Bechtol, Steve Jennison, Phil Kominski, Claire Pak, and Maria (Cookie) Stagnitto. BPRA member Elliot Chabot (Governing Documents Committee Chair), Sol Lopez, Maureen McNulty, Joe Moeller (Pool Property Helpers Coordinator), and Rita Vaught (BPRA Bookkeeper) were also present. There was a quorum. Secretary Swan took the minutes.

3) Approval of Agenda

The Board discussed the proposed agenda for the meeting. Pullen moved that the agenda for the meeting be approved with item 17 (Physical Facilities) moved to position 5A, Item 12 (Collections Policy revision) moved to position 18A, and 20(b) be added as Grounds and Landscaping funding. There being no further discussion, the motion was approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and none opposed.

4) Statements by Association Members

BPRA members were invited to speak on any items. Lopez stated that the tennis courts are in poor and unsafe condition. She thanked the Tennis Committee for seeking contractors to renovate the courts. She favored adding 2 pickleball courts and encouraged the Board to approve the funding requested by the Committee.

McNulty stated that she moved into Strathmore Bel Pre a few years ago in part because of the tennis courts. She felt that these are part of the crown jewels of the community's facilities. She is a life-long tennis player and is very excited about the proposal from Mid Atlantic Asphalt. She believes that tennis with pickleball is a very smart design. McNulty and her husband both serve on the Tennis Committee. She believes that the members of the community understand the need for maintenance and that implementation of the proposal will help protect property values.

5) Approval of Minutes

Purdy presented the minutes of the November 10 and December 1, 2020, Board meetings and the November 19, 2020, Annual General Membership meeting. Swan moved that the Board approve the minutes of those three meetings. The motion was seconded and approved with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and none opposed. Jennison thanked Swan for doing a great job with the minutes.

5A) Physical Facilities: Pump Room – replacement of filters and associated piping

Purdy reviewed the history of the pump filters (see Board meeting minutes of February 4, March 3, and April 7, 2020). Moeller and Bechtol have been working on this for the last few weeks. Moeller indicated that Georgetown Aquatics is expected to provide a cost estimate for the work in the next week. Moeller recommended that the work be done as soon as possible (replacing the four sand filters – which have far exceeded their expected life span – and the piping). Moeller emphasizes that the work is limited to replacing existing components and is not an upgrade.

Pullen moved that Bechtol be authorized to approve up to \$30,000 for the work. The motion was seconded. Moeller indicated that he will provide the Board with the quote from Georgetown Aquatics as soon as it is available. Swan emphasized the importance of having a contract setting out the expectations. There being no further discussion, the motion was approved with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and none opposed.

6) Proposed 2021 BPRA Calendar

The proposed 2021 calendar was discussed, with decisions made with alternatives for the April, June, and July Board meetings and the May property walk-through. Foraker moved that the amended calendar be adopted (see Attachment 1 of these minutes). The motion was seconded, discussed, and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and none opposed.

7) Proposed 2021 BPRA Appointments

President Purdy presented her list of appointments for Board approval. She indicated that she is looking for suggestions to fill the positions that are still vacant. Foraker suggested reaching out to Association members who have attended Board meetings. Stagnitto offered to help with recruitment. Swan suggested that all Board members engage in outreach. Purdy noted that no honoraria is being offered for any of the positions that Louisa Hoar previously filled (Tennis Court Keys Distributor, Pavilion Scheduler, and Pool Pass Coordinator).

Foraker moved that the appointments be approved as presented. The motion was seconded, discussed, and approved with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and none opposed. Purdy indicated that there needs to be a review of the BPRA's committee policies to see how they align with current practices and to determine if the Finance Committee should be treated the same as the other committees, concerning appointment process, membership, etc.

8) Set annual dues assessment for 2021

Purdy recommended that the assessment due March 1, 2021 be set at \$325. She noted that \$325 is the maximum authorized for 2021 at the January 23, 2020, Special General Membership Meeting. Pullen also pointed out that the proposed budget (sent to the General Membership in October 2020 and presented at the November 19, 2020, Annual General Membership Meeting) had \$325 as the proposed assessment. The Board expressed sympathy for any financial hardships

that some members of the community are experiencing because of the COVID-19 pandemic. However, the Board concluded that asset growth remains a necessary priority, given the Long Term Planning Committee's projection of foreseeable costs over the next five years.

Pullen moved that the annual assessment for FY22 (March 1, 2021 to February 28, 2022) be set at \$325. The motion was seconded, discussed, and approved, with Bechtol, Foraker, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and Jennison opposed.

9) Annual assessment notice – authorize funds

Purdy asked the Board to authorize funds to mail out the annual assessment notice required by the governing documents. Foraker moved that the Association use Mailings Unlimited for the mailing to an amount not to exceed \$1,000. The mailing will consist of two 2-sided sheets with an unstamped #9 envelope. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and none opposed.

10) Adoption of FY22 Budget

Purdy presented the proposed BPRA Fiscal Year 2022 budget and noted that a copy had been sent to all Association members with the notice of the November 2020 annual meeting. Pullen moved that the proposed FY22 budget be approved. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy, Stagnitto, and Swan in favor, and none opposed.

11) Reimbursement approval for COVID procedure related summer expenditures

Purdy requested that she be reimbursed \$85.85 for COVID-19 printing and materials (including the reservation and check-in book) for the 2020 pool season. Foraker moved to approve the reimbursement. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Stagnitto, and Swan in favor, and none opposed. Purdy abstained.

12) Collections Policy revision

See item 18A, below.

13) Conflict of Interest Guidelines

President Purdy reminded the Board about conflict of interest rules, including:

- A member of the Board must abstain from voting on any proposal that would personally benefit the Board member or any member of the Board member's family. Likewise, a member of a committee must abstain from voting on any proposal that would personally benefit the committee member or any member of the committee member's family.
- A Board member should also refrain from advocating for any proposal that would personally benefit the Board member or any member of the Board member's family. Likewise, a committee member should refrain from advocating for any proposal that would personally benefit the committee member or any member of the committee member's family.

- A Board member (or a committee member) who would benefit personally (or where a member of the person's family would benefit personally) from a proposal before the Board (or before any committee that the person is a member of) must disclose that to the Board (or committee) before action is taken by the Board (or committee) on the proposal. The disclosure should be included in the minutes of the meeting.

Purdy recommended that a formal, written policy should be adopted. Foraker recommended that members of the Board should sign the conflict of interest rules annually. Purdy directed the Governing Documents Committee to study the issue and recommend a policy to the Board.

14) Pool Operator Contract

Bechtol reported that 4 bids had been received in response to the Request for Proposals for the 2022-2024 pool seasons pool operating contract. Bechtol noted that Georgetown Aquatics' bid was the low bid and was substantially less than the other three bids. As permitted by the RFP, Georgetown Aquatics requested several changes in the requirements set out in the appendices of the RFP. Purdy, Moeller, and Bechtol discussed the changes with Georgetown Aquatics and came to agreement on the details. Swan moved that the Board approve Georgetown Aquatics' proposal with the agreed-to-changes. The motion was seconded, discussed, and approved, with Bechtol, Foraker, Jennison, Kominski, Pullen, Stagnitto, and Swan in favor, and none opposed. Pak and Purdy abstained.

15) Bookkeeper Contract

Treasurer Pullen recommended that Rita Vaught be the Bookkeeper for the Association. Vaught had proposed a rate of \$24 per hour, for a one year contract through December 31, 2021, with earlier termination permitted by either party with 30 days notice. Foraker moved that the proposal be approved. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

16) Attorney Retainer

Pullen reported that the most recent contract between Tom Schild Law Group and the BPRA was in 2018. The new contract being proposed by Schild would increase their rate for attorney time by \$20 per hour. Swan noted that it is currently a buyers' market for legal services in the Washington area and suggested that the contract specify that the law firm be the personal representative of the BPRA for purposes of receiving service of process; and that the contract be a multi-year (3 year) contract. After further discussion, Swan moved that the Board authorize Pullen to negotiate with Thomas Schild Law Group over the terms and authorize Pullen to approve the agreement. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

17) Physical Facilities

See item 5A, above.

18) Pool Entry/Gateway/Software System

Purdy directed the Board to the written report from the Finance Committee that Pullen had previously sent to the members of the Board. The members of the Finance Committee, as well as members of the community who requested to be involved, saw demonstrations of the two-pool entry/gateway software systems. The Finance Committee recommended that the Board choose eSoft Planner. The first year would cost approximately \$1,790 (\$940/year basic license and credit card gateway + \$350 for data import + \$200 for an additional module). The class schedule module would cost an additional \$200 but is not included in the proposal. Swan asked where eSoft is registered as a corporation, as they do not appear to be registered in Ohio (their postal address) or in Delaware.

After further discussion, Foraker moved that – if it is established that eSoft is a registered corporation – up to \$2,000 is authorized for the first year of eSoft Planner, with hardware to be purchased later. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

Foraker noted that the hardware needed to implement the proposal will likely cost \$600 to \$1,100. Swan also recommended that virus protection will be an additional cost, once hardware is purchased. Purdy reported that she and Pullen will be the implementation team for the system.

18A) Collections Policy revision

Treasurer Pullen presented recommendations for revisions to the Annual Dues Collection Policy. The Board engaged in spirited debate on the proposal. Foraker moved that the proposal be adopted with the modifications that Stagnitto, Swan, and Chabot proposed (see Attachment 3 of these minutes for the text of the proposal with the modifications). The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

18B) Extension of Meeting

Purdy noted that it was almost 9:00 and that there were several items remaining on the agenda. Swan moved that the meeting be extended to no later than 10:00. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

19) Budget & Finance**a. Monthly financial statements**

Pullen presented the draft monthly financial statement (consisting of the Statement of Activity and the Statement of Financial Position). This is the first monthly statement provided to the Board since the end of the Association's contract with American Community Management. Seventy-five dollars from each assessment (representing the difference between the 2019 \$225 assessment rate and the 2020 \$300 assessment rate) has been placed in the reserve account. Pullen indicated that if there any requests for additional information to be included in the monthly financial statement, to contact him. Pullen reported that the Association is in healthy financial shape.

Pullen noted that a comparison of checks received in 2020 with the name and address information in QuickBooks resulted in many corrections. Pullen would like to build a dashboard in addition to the monthly financial statement.

b. Delinquent accounts

i. Report of Assessment Assistance Committee

Pullen reported that the Assessment Assistance Committee has resolved 35 of the 39 requests received from Association members. Details of the remaining 4 requests are in the monthly Committee Reports.

ii. Decision re: outstanding balance

Pullen asked the Board's guidance as to whether to file a lawsuit for outstanding debt from 2019 where the home has been sold and the previous owner has died. The BPRA's law firm (Thomas Schild Law Group) has suggested writing off the debt given the probable cost of the litigation and the low likelihood of successfully receiving any payment. Foraker moved that, in view of counsel's recommendation, BPRA not sue the estate of the former member. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

iii. Authorization to file lawsuit

Pullen reported that one homeowner has not paid their annual assessment for over 2 years and is not cooperating with Thomas Schild Law Group to reach a settlement. Pullen moved to authorize the Treasurer to authorize a lawsuit against the homeowner. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

c. Financial Audits

Audits Coordinator Foraker reported that work is progressing on the audits but was delayed because of the holidays. He will have an update at the February meeting.

d. Other items

Pullen reported that there is no news on the Association's petition to the Internal Revenue Service for a waiver of the 2016 late filing penalty (\$338.85).

20) Committee Reports and Administrative Assistant's Report

a. Questions about Reports

No Board members had any questions about the reports distributed before the Board meeting.

b. Grounds and Landscaping Funding

Grounds and Landscaping Coordinator Bechtol reported that he would like to have a third-party assessment made of the trees on the Association's property. Bechtol recommended using Casey Trees, a leading urban forestry non-profit. Casey Trees charges \$50 per hour and expect the work

to take 3 to 4 hours. The Board discussed the issue and Bechtol moved that an amount not to exceed \$300 be authorized to fund the assessment by Kay Lee Trees. The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

Bechtol also reported that Louisa Hoar is very excited about the tree that will be planted in her honor at the pool. She has chosen the red maple next to Maury Potosky's memorial tree.

21) Tennis Court proposal

Tennis Courts Committee Chair Pullen reported that the Tennis Courts Committee recommends that the Board approve Mid Atlantic Asphalt's proposal for repairing the tennis courts. Mid Atlantic's bid was the middle of the three bids received by the committee. Pullen reported that it took the Tennis Courts Committee several years to get the 3 bids. Mid Atlantic has a good reputation within the tennis community; and did the courts at the Aspen Hill Club. The proposal would convert one of the 4 current tennis courts into 2 permanent pickleball courts. The Board discussed the proposal. Foraker moved that up to \$75,000 be approved (including 4 benches). The motion was seconded and approved, with Bechtol, Foraker, Jennison, Kominski, Pak, Pullen, Purdy Stagnitto, and Swan in favor, and none opposed.

22) Other Business

None.

23) Adjournment

There being no further business, the meeting was adjourned at 10:07 pm. The next regular monthly Board meeting is scheduled for Tuesday, February 2, 2021, at 7:30 pm, by teleconference.

Respectfully submitted,

-- Chris Swan, Secretary

Attachment 1: Adopted Schedule

- January 5 (Tuesday) – Board meeting via teleconference
 - Adopt Annual Budget
 - Set the annual assessment
- February 2 (Tuesday) – Board meeting via teleconference
- March 2 (Tuesday) – Board meeting via teleconference
- April 6 (Tuesday) – Board meeting via teleconference
- April 10 (Saturday) – Board meeting at pool with property walk-through (10 a.m.)
- May 4 (Tuesday) – Board meeting via teleconference
- May 15 (Saturday) – Board meeting at pool with property walk-through (9 a.m.)
- May 29 (Saturday) – Memorial Day weekend starts – pool opens
- June 8 (Tuesday) – Board meeting via teleconference or at pool, if allowed
- June 22 (Tuesday) – Board meeting via teleconference or at pool, if allowed (if needed)
- July 6 (Tuesday) – Board meeting at pool
- July 20 (Tuesday) – Board meeting via teleconference or at pool, if allowed (if needed)
- August 3 (Tuesday) – Board meeting via teleconference or at pool, if allowed
- August 17 (Tuesday) – Board meeting via teleconference or at pool, if allowed (if needed)
- August 20 (Friday) – Deadline for the Nominating Committee recommendations to the General Membership (*60 days prior to the notice of the Annual Meeting*)
- September 6 (Monday) – Labor Day – last day of pool season
- September 11 (Saturday) – Board meeting at pool with property walk-through (10 a.m.)
- September 14 (Tuesday) – Board meeting via teleconference or at pool, if allowed
- September 28 (Tuesday) – Finance Committee transmits its Annual Budget recommendations to the Board. Long Term Planning Committee submits its annual 5-year plan to the Board. (*1 week before items are to be considered by the Board.*)
- October 4 (Monday) – deadline for candidates (not nominated by the Nominating Committee) to notify the Secretary that they are running for a seat on the Board (*45 days before the Annual Meeting*)
- October 5 (Tuesday) – Board meeting via teleconference or location TBD
 - Board approves preliminary budget to be submitted to the General Membership with the Annual Meeting notice.
 - Deadline for action on any recommendations from Nominating committee concerning the nomination and election rules
- October 6 (Wednesday) – probable deadline for *Bugle* articles
- October 19 (Tuesday) – deadline for Annual Meeting notice to the General Membership (*30 days before annual meeting*)
- November 2 (Tuesday) – Board meeting via teleconference or location TBD
- November 19 (Thursday) – Annual Meeting via teleconference or location TBD
 - Election of Trustees
 - Presentation of annual budget
- December 7 (Tuesday) – Board meeting via teleconference or location TBD followed by Reconvened Annual Meeting (if needed) or Town Hall meeting
 - Election of officers at Board meeting

- January 4, 2022 (Tuesday) – Board meeting via teleconference or location TBD
 - Adoption of budget
 - Set the annual assessment

Attachment 2: Appointments approved

- Pool & Recreational Facilities Committee Chair – Ted Bechtol (*transition to Phil Kominski following negotiation and execution of Pool Operator Contract. Confirm transition at future Board Meeting*)
- Entertainment & Recreation Committee Chair – Chris Swan
 - Block Party and Spring Thing Coordinator – vacant/TBD
 - Trunk or Treat Coordinator – Beth Kominski
- Neighborhood Dispute Resolution Committee Chair – vacant/TBD
- Finance Committee Chair – Dave Pullen
 - Audit Coordinator – Mark Foraker
- Assessment Assistance Committee (*appointments approved 12/1/2020*)
 - Chair – Dave Pullen
 - Members – Steve Jennison, Claire Pak
- Governing Documents Committee Chair – Elliot Chabot
- Nominating Committee Chair – Mark Foraker
- Long Term Planning Committee Chair – Karen Purdy
- Grounds and Landscaping Coordinator – Ted Bechtol
- Tennis Courts Committee Chair – Dave Pullen
- Administrative Assistant – Brenda Henry
- Pavilion Scheduler – vacant/TBD
- Pool Pass Coordinator – vacant/TBD
- Tennis Court Keys Distributer – Jim Eaton (*appointment approved 12/1/2020*)
- MapMaster – Paul Spelman
- New Member Recruitment Coordinator – vacant/TBD
- Web Master – Billy Ruppert
- Pet Waste Station Coordinator – Jackie Fary-Moeller

Of the positions listed above, the following receive honoraria: Administrative Assistant.

Attachment 3: Bel Pre Recreational Association Annual Dues Collection Policy

(adopted March 6, 2018; amended May 1, 2018; June 2, 2020; and January 5, 2021)

A. Annual Dues

- 1) The Bel Pre Recreational Association (BPRA) is authorized by the governing documents to assess and collect annual dues from the membership homeowners (Homeowners) that are legally included in the BPRA governing documents. The governing documents also state that the due date for payment of the dues is set at March 1 of each year.
- 2) The dues amount is established annually by the BPRA Board of Directors (Board) and within a cap set by the General Membership of the BPRA.
- 3) Dues Assessment Letters (Letters) are mailed to all Homeowners around February of each year. The Letters state that the due date for payment of the dues is March 1 of the assessment year, and if not paid by March 31, interest charges will accrue on the first day of each following month, retroactive to the March 1 due date until paid, together with all late fees and collection costs (including attorney's fees where applicable). (See, Pool and Assessment Covenants of March 13, 1968, at Art. V §§7, 9).
- 4) For purposes of this policy, any payment is deemed to have been made and received as of the earlier of:
 - i. the date that the envelope transmitting payment arrived at the BPRA's post office box;
 - ii. the legible U.S. Postal Service postmark date on the envelope transmitting the payment;
 - iii. the date the transaction is posted by the agent/program designated by BPRA for receipt of on-line payments. For purposes of this determination, an electronic/on-line payment means a service whereby the homeowner uses a debit/credit card to make payment, which is posted/date-stamped by the receiving entity. Paper checks issued by banks or other providers and that are mailed or otherwise delivered to BPRA are not "electronic payments" for purposes of this subsection.

B. Past Due Annual Fees Collection Policy

- 1) The Board has approved the following actions to be taken in regards to annual dues assessments that are delinquent. If payment is received by March 31, no interest charge, late fee, or collection costs shall be levied and the homeowner remains in good standing. If payment has not been received by March 31, then:

- i. **1st Late Notice Letter**- the BPRA Treasurer is directed to assess the first month's interest charge, retroactive to the March 1 due date; a late penalty of 10% of the dues owed, plus the additional costs associated with the mailing of the 1st Late Notice Letter, which shall be mailed to all delinquent homeowners as soon as possible in the month of April, but not later than April 15. The letter will notify the Homeowner that the annual dues were not received by the due date of March 1 nor by the end of the grace period on March 31, and therefore additional charges have been added to the homeowner's account. The letter will request that the past due amount(s) be promptly paid. The letter will also provide a statement for the Homeowner detailing the past due amount(s), late penalty, interest, and collection costs. The collection costs for mailing the 1st Late Notice Letter is set at \$5.00 to cover the costs of paper, envelopes, printing and first-class postage.
- ii. **2nd Late Notice Letter** - Not later than June 15 of the assessment year, the Treasurer will mail the **2nd Late Notice Letter** to each Homeowner whose past due dues assessment was not received by May 31 of the assessment year. The letter will notify the Homeowner that the past due annual dues assessment plus late penalty, accrued interest through the end of May and collection fees have not yet been received and the Association is considering further collection actions that could result in substantial additional charges to the Homeowner. The letter will also provide an updated statement for the Homeowner showing past due amount(s), late penalties, interest, and collection costs. The collection costs for mailing the **2nd Late Notice Letter** is set at \$5.00 to cover the costs of paper, envelopes, printing and first-class postage.
- iii. **Final Letter** - Any Homeowner who has not paid their dues assessment and all associated late fees, interest, and collection costs by August 31 of the assessment year is subject to additional collection action and substantial fees. Not later than September 15 of the assessment year, the Treasurer will mail a final letter to each such Homeowner. The letter will notify the Homeowner that if the Homeowner's delinquent account is not paid in full by September 30, the account will be turned over to an attorney for additional collection action and substantial attorney fees will be added to the homeowner's account. The collection costs for mailing the Final letter is set at \$10.00 to cover the costs of paper, envelopes, printing and Certified Mail (return receipt requested) postage.
- iv. **Attorney Collections** – If the homeowner has not paid the delinquent dues assessment within the time period specified by the Final letter, the BPRA Treasurer will turn over the delinquent dues assessment account to an attorney selected by the Board for further collection action.

- v. **Filing a lien or lawsuit – If a Homeowner’s account becomes one** year or more in arrears, the Board, at its discretion, will direct its attorney to either file a lien against the property and/or file a lawsuit against the Homeowner.
- 2) Collections Received – any monies received from the Homeowner will be applied to the oldest assessments first, unless stipulated otherwise by a binding settlement agreement.

C. Requests for relief

- 1) A homeowner may request that the late fee be waived, and/or to pay the assessment over time, on a payment plan.
- 2) Only homeowners in good standing may request relief. Good standing means that the homeowner is current with prior assessment payments, and has no remaining unpaid, prior-year assessments, fees or interest.
- 3) It is the BPRA Board’s preference that:
 - i. any request for relief be filed prior to the deadline for “timely” payment (historically fixed as March31st);
 - ii. any request be accompanied by a good-faith payment of at least one-third of the Annual Assessment amount;
 - iii. any request be submitted in writing;
 - iv. any request uses the BPRA relief form found on theStrathmoreBelPre.org website; and
 - v. any request be submitted via first class mail ore-mail

D. Criteria for Relief

- 1) Payment of the full assessment and interest are required under the Covenants and by order of the Montgomery County Commission on Common Ownership Communities.¹
- 2) Payment of the Annual Assessment may not be waived and must be paid in full.
- 3) Simple interest (generated per month) also may not be waived.
- 4) Relief is limited to:
 - i. terms providing the homeowner additional time in which to make payment before the BPRA refers the matter to its attorney or files a lien on the property; and/or
 - ii. full or partial waiver of the 10% late fee.
- 5) Payment Plans - Except for extraordinary circumstances, the maximum amount of additional time to be granted for payment is not to exceed 5 months (i.e., payment-in-full must be realized no later than August 31 of the current Assessment year).
- 6) Standing with the Association – Where a payment plan has been agreed to by the homeowner and the Association, the homeowner will remain in good standing with the Association, subject to satisfactory performance of the payment plan. The homeowner will maintain the right to access and enjoy the privileges and benefits of the Association, subject to their satisfactory performance of the payment plan.
- 7) Simple interest (generated per month) also may not be waived,
- 8) Relief is limited to:
 - i. terms providing the homeowner additional time in which to make payment before the BPRA files a lien on the property; and/or
 - ii. full or partial waiver of the 10% late fee.
- 9) Failure to abide by the terms of any agreement/payment plans negotiated by the

¹ Article V, § 1 of the Strathmore Bel Pre Covenant of March 13, 1968, requires that each homeowner pay the annual assessment (and any special assessments) and requires that the assessments are to be uniform for each lot. Sections 7 and 9 of that article specifies that the annual assessment is due on March 1 of every year, and that if the homeowner fails to pay the annual assessment within 30 days, that the debt bears 6% interest and the BPRA may take legal action to recover the debt and collection costs and to place a lien on the property.

In *Ramsay v. BPRA* (Case No. 369-0), pp. 12-13, the Montgomery County Commission on Common Ownership Communities ruled that since the 1968 Covenant says that the delinquency “shall” bear interest, the BPRA does not have the option of waiving it.

Association and the homeowner will result in immediate acceleration of the remaining balance due and create a default.

- i. Upon default, the total/remaining balance will be due, and payable immediately.
 - ii. Upon default, the homeowner's right to access and enjoy the benefits and privileges of the Association will be suspended until the account is paid in full.
- 10) The BPRA's Assessment Assistance Committee is authorized to negotiate and approve payment plan and release of late fees on behalf of the BPRA. In deciding whether to grant a homeowner's request for relief, the Committee will treat all such requests and supporting material from the homeowner, as confidential personal financial records. The Committee will not provide these records (or any other information contained in those records) to the Board (or any other person) unless the homeowner has, in writing, authorized such dissemination.