



Monthly Association Fee (MAF) Late Fee Policy

[Last revision by consensus 01.29.2018](#)

New changes consented 07.02.2018

This policy is intended to ensure timely receipt of MAFs, which are critical to Touchstone's payment of operating expenses and to the management of the financial health of the community.

- MAFs are due on the first of each month. The grace period extends until 7pm on the 20th.
- A late fee is assessed for every month that the MAF for that month is not received by 7 pm on the 20th of the month.
- For one month in arrears a late fee of \$10 is assessed; for every subsequent month a fee of \$25 is assessed.
- In extenuating circumstances (e.g., job loss, hospitalization), a unit owner can submit the Touchstone Late Fee Waiver Request Form and the Touchstone Payment Plan for Past Due MAFs Form to the Touchstone Finance & Legal Committee (F&L) for review and approval.
- The policy applies to all unit owners and any units still owned by the developer. It applies to each of an owner's units whether owner-occupied, rented, or vacant.
- Total late fees owed by a TS resident may be negotiated lower as part of settling an outstanding delinquency. If this is done, it requires the full participation of Finance & Legal and the defaulting co-owner, and any agreement must be in writing. Late fees will never be increased above the amount in the association's late fee policy.
- Any bank fees assessed the association by the bank due to an MAF check that fails to clear because of insufficient funds will be invoiced to the co-owner.

Note: Owners receive an up-to-date statement by email early each month. Owners without email access should notify the F&L so that another method of notification can be arranged.

In addition to late fees, the following steps apply if an owner is more than one month late paying their MAF:

1. **Two months late.** The owner receives an email notification from F&L. If the F&L receives no response within five days, a personal contact is made to the owner by a member of the F&L in order to ensure they received the notification, to determine payment intentions, and to offer the option to request a late fee waiver and create a payback plan.
2. **Three months late.** Assuming there is no satisfactory plan or follow through on a plan to become current, a member from the Touchstone Conflict Resolution Team will contact the owner to review the situation and discuss options for getting caught up.



Other consequences for the delinquent owner may be:

- Losing certain voting privileges at plenary or at the committee level per the bylaw.
 - Restrictions on use of the Common House resources such as the laundry facilities and the multi purpose room for the co-owner and if applicable, their renters.
 - For those co-owners who currently have renters, the association may exercise the option to initiate rent diversion as specified in our bylaws. This enables the association to collect rent from tenants if a co-owner rents all or part of their unit.
3. **Six months late.** If an owner is six months behind, the F&L is empowered to initiate the placement of a lien on the delinquent owner's property.
- All legal fees associated with applying the lien are the responsibility of the owner and will be assessed to the owner by the association.
 - When a lien is initiated at 6 months, the community will be notified of the situation. Prior to 6 months, both F&L and the Conflict Resolution team work with the owner and keep this information confidential.

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Second revision consented on 01.29.2018

Third revision consented on 07.02.2018