

# Kent County Homeowner Association Billing Program Enrollment Form

## Purpose:

This document enrolls the identified homeowner association/maintenance organization/maintenance corporation (association) in Kent County's homeowner association billing program, defines the scope of the program, and sets forth the obligations of participating associations.

## I. Services to be provided by Kent County

### Billing functions to be provided by Kent County.

Kent County will print and mail annual association bills, and three follow-up bills on unpaid dues. Bills will be sent to the mailing address contained in the County's tax records. The County only bills for assessments from the time that an association enters the County program. The County only bills for the current year's HOA dues. The County will not add any unpaid balances from prior years to the billing. Those balances are the sole responsibility of the HOA.

### Billing schedule.

Association bills shall be issued by Kent County according to the following schedule:

- January: Annual bills are mailed. The due date is February 28. If February 28 is a weekend or holiday, the following business day will become the due date.
- March 15: First delinquent notice
- May 1: Second delinquent notice
- June 15: Third delinquent notice

Each HOA must send a listing of any payments they received directly at least 10 days prior to each scheduled billing date.

After the January billing, homeowners with unpaid balances will be rebilled using the schedule above. Homeowners with unpaid penalty balances only will not be rebilled by Kent County.

### Receipt and processing of payments.

Kent County shall receive payments and post to property owner accounts. The County shall deposit payments into an account set up specifically for the association payments. This account will be separate from all other County accounts.

### Remittance to association.

The County shall remit payments to associations by check according to the following schedule:

- March: all payments posted from January 2 to February 28

<u>April:</u>	all payments posted from March 1 to March 31
<u>May:</u>	all payments posted from April 1 to April 30
<u>June:</u>	all payments posted from May 1 to May 31
<u>July:</u>	all payments posted from June 1 to June 30
<u>August:</u>	all payments posted from July 1 to July 31
<u>September:</u>	all payments posted from August 1 to August 31
<u>October:</u>	all payments posted from September 1 to September 30
<u>November:</u>	all payments posted from October 1 to October 31
<u>December:</u>	all payments posted from November 1 to November 30

The HOA will be charged a \$30 fee for any checks returned unpaid for any reason (such as, but not limited to NSF, stop payment, refer to maker). The fee and amount of check will be deducted from the next HOA remittance. If no remittance is available, the HOA will reimburse the County within 10 days of being notified a check has been returned.

Check payments will be mailed by Kent County no later than the last day of the listed months. Check payments will be accompanied by a report that details payment information by tax parcel number. Associations may request a report detailing unpaid accounts on a periodic basis through the County contact.

**Penalty on unpaid balance.**

Penalty will apply to unpaid balances the first of every month according to the formula supplied by the association.

The County may not post every payment received on the last day of the month by the end of the business on that day. The Finance Department will calculate and post penalty after it has posted all “on-time” payments for that month. Penalty will be due after the first of the month even if it has not been added to the account yet.

**Adjustments and corrections.**

Kent County will only adjust accounts to correct an error by the County. It will not make other adjustments without written authorization from the association.

**II. Cost for Kent County Services.**

**Per parcel fee.**

Kent County shall charge participating associations an annual per parcel fee to cover all costs associated with the billing program. The program is designed to be self sustaining and shall not be funded by Kent County taxpayers.

Kent County will set the annual “per parcel” fee for the following calendar year by June 1 of each year. Every association will pay this fee multiplied by the number of parcels to be billed by the County.

**Deduction by Kent County.**

The total annual fee [(county “per parcel” fee) x (# of parcels)] will be deducted by Kent County prior to the County’s transmittal of the March remittance. If the March remittance is insufficient to cover the annual fee, the remainder will be deducted from the next remittance.

**2021 per parcel fee**

The per parcel fee for 2021 shall be \$13.00.

**III. Obligation of the Association.**

The association must meet all obligations listed below. If it does not, it may be removed from the program.

**Due Dates for enrollment forms.**

This enrollment form must be completed and received by Kent County as follows:

Associations that have not previously participated in this program must submit this form by October 15, 2020.

Associations that already participate in this program must submit this form by November 15, 2020.

**Signature of authorized members of the association.**

This enrollment form must be signed by the President or other authorized members of the association. Every requested item must be completed.

**County contact.**

The association must supply the name and contact information of the designated contact person. The County will direct all correspondence, including the periodic payments to the contact person. It is the contact person’s responsibility to notify the county immediately if the contact or any of the contact’s information changes.

**Compliance with State Law and County regulations.**

The association bears the responsibility for ensuring that all charges for services included in the annual maintenance corporation assessment are consistent with all applicable State and County Codes.

**Collection activity.**

Any collections action is the sole obligation of the association. Kent County will not undertake any collections activity for unpaid balances, other than sending three

delinquent notices as listed above in the County services section. Kent County will not add any “other” charges to the customer’s assessment bill. This includes but is not limited to any charges incurred by the association for any collection activity. As stated in Section I, the county will not add any unpaid assessment balances that reside on any parcels when the subdivision first enters the county program. It is the responsibility of the association to bill and collect any such amounts.

**Disputes.**

The association must resolve any disputes about penalty charges or annual billing amounts. Inquiries received by Kent County will be directed to the association contact.

**Penalty adjustments.**

If the association agrees to adjust penalty for a customer, it must send this instruction to the County in writing.

**Annual renewal.**

Participating associations must submit an annual renewal form by November 15 of each year. If November 15 is a weekend or holiday, the form shall be due by the next business day.

All questions and concerns should be directed to the Kent County Department of Planning Services at (302)744-2471.

