

Freedom Pond Cooperative, Inc.

45 Vaillancourt Drive

New Ipswich, NH 03071

website: www.freedompond.org

Past-Due Rent Collection Policy

I. The day after the Rent is due

The Treasurer or authorized designee will compile a list of residents who have not paid their rent and for each:

- Leave **Demand for Payment of Rent and Eviction Notices**, signed by two BOD Members, at the residence and retain a copy for file. Two Cooperative Members will sign a statement attesting to delivery of the documents to the home.
- Initiate a **Past-Due Rent Documentation Sheet** and open a **Resident Rent Collection File** to archive copies of all documentation.

The Demand for Payment of Rent and Eviction Notices give the resident(s) 30 days from the date the rent was due to pay their rent and liquidation fee, or reach an acceptable agreement with the Board on a payment plan. The standard Rent Payment Agreement may be used only once per calendar year without requiring the Resident to meet with the BOD.

Note per our Bylaws: "A 'Member in good standing' is a Member whose lot rent and Membership Fees are current or has signed an agreement satisfactory to the Board of Directors to bring these rents and fees current." (Article 3.1B) Therefore, if your late rent is not resolved, nor an agreement reached before the next rent due date you are no longer a "Member in good standing".

This timetable provides the resident with the opportunity to attend that month's scheduled Board of Directors meeting to discuss their situation, should they need/ elect to do so. Only the Board at a properly noticed meeting is empowered to negotiate an alternate Agreement.

II. On the rent due date following the Demand for Payment of Rent and Eviction Notices:

- If a resident/ homeowner comes forward within 30 days to pay the past due rent and associated fee, or has signed a **Payment Agreement**, the clock re-sets as long as the agreement is honored. Therefore, if he or she is delinquent the next month, the process begins again. By NH law (RSA 540:9), the cycle of **Eviction Notices** cannot exceed three occurrences in a 12-month period.
- If rent remains due and no **Payment Agreement** has been reached, the BOD will initiate Eviction Proceedings in consultation with the Cooperative's attorney.

In cases of Eviction a **designated** Board Member will:

- Act as the liaison between the attorney and Board of Directors.
- Keep the Board of Directors informed as to the status of, and actions taken, in all collection matters.

- Bring recommendations made by the attorney to the Board of Directors. Said recommendations will be decided by means a formal valid vote by the Board of Directors.
- Provide the Cooperative's attorney with a copy of the **Occupancy Agreement** and any information regarding liens against the resident/ homeowner's property

*Depending on the circumstances, and at a point in time determined by the Cooperative's attorney, the Board of Directors begins the process of **expelling the member(s) from the Cooperative.***

Additionally, the Cooperative's attorney will be consulted in the following circumstances:

- The Cooperative receives notice that a resident/ homeowner:
 - o in a one person household has died
 - o has abandoned their home
 - o has filed for bankruptcy
 - o has moved to a nursing home, or extended care facility

This policy was approved and adopted on May 28, 2014.
Revised and approved on April 15, 2019

The foregoing is a true and accurate account, attested by,



David Rand, President