

Jansel Court Condominium (JCC) – Fee Collection Policy

One of the primary responsibilities of the JCC Board of Directors is collecting the revenues and paying the bills. To guide and assist the JCC Board in accomplishing these duties, the Bahamas Condo Act and the JCC Bylaws provide the Board with certain powers and legal recourses.

For example, the JCC Bylaws states at Article 16 that the proportionate share of each unit owner in the common expenses of the condominium shall be levied by the body corporate on unit owners every month and if remaining unpaid for a period exceeding Ninety (90) days it shall be the duty of the body corporate to initiate procedure in a court of competent jurisdiction as provided in Section 18(2) of the Act.

Even though it is the owner's responsibility to know and fulfill its obligations towards JCC, the JCC Board and its administrative personnel can facilitate the collection of fees by providing timely and accurate billing information, and early warning in case of delinquency. The 2023-24 Board has updated and documented the following procedure to address these points.

PROCEDURE & ADMINISTRATIVE CALENDAR

1. Condo maintenance fees are due the 1st of the month for which they are invoiced **and should be paid on or before that date.**
2. JCC posts the monthly fee the 1st of each month on the monthly statement.
3. On the last day of each month, late payment interest is computed and added to the monthly statement. Such fees become due the day they are posted.
4. Annual Parking and locker fees are billed and added on the monthly statement on the 1st day of March and are payable on or before March 31.
5. Other fees invoiced by email are due the same day.
6. At the bottom of the statement, the "CURRENT" amount due, the past due amounts and the total "Amount Due" are indicated. **Owners should pay the total "Amount Due" indicated in the bottom right corner of the statement.**
7. To forewarn owners that are delinquent, between the 12th and the 15th of each month, JCC office will produce a listing of all JCC delinquent owners with the number of overdue days of their most overdue invoice. Then, it will categorize delinquent owners as follow: 61-90 Days and over 90 Days. Then,
 - A. The 61-90 Days reminder email will be sent to all delinquents in that category asking for payment before month end.
 - B. The over 90 Days reminder email will be sent to all delinquents in that category. *The payment deadline should be **10 days** from the email date. The amount should be the total delinquent amount for that Owner.*
 - C. NOTE: The same above emails should be sent after reviewed at the Board Meeting.
8. **IMPORTANT NOTE: JCC is not compelled to send warnings to late paying owners. JCC does it as a courtesy. In NO WAY an owner can**

use the fact that he did not receive a warning from JCC for not paying its accounts on time once he has been invoiced.

9. Delinquent owners that are over 90 days past due will receive an email from JCC advising them that if their full payment of the due amounts and fees, **in the form of Cash, a Certified Bank Check, Cashier's Check or Wire Transfer, is not received-within (10) days**, the account will be sent to the JCC Attorney with instructions to initiate the lien collection procedure. The day after a 90 day plus delinquent owner has not complied with the JCC 10-days warning email; JCC will send the owner's collection file to the JCC Attorneys (with cc to the President and the Treasurer) to initiate legal action. **Owners are responsible for all the fees involved with a lien action, in addition to the amounts due and the cumulative interest on the delinquent amounts.**
10. The JCC Attorney will send a collection letter by email and Courier to the unit owner(s) requesting payment by a specified date (**14-day notice**). At that time, JCC will add that Attorney's letter fees "**Demand Letter**" fees to the owner's account. These fees are added to the amount to be paid by the owner to stop the lien procedure.
11. Once 15 days have elapsed, from the day that the account was sent to the JCC Attorney, the JCC Office will inform the JCC Attorney if a payment was received or not. If a complete payment was received, the Attorney will be instructed NOT to file the legal lien. If the complete payment **was not** received, the Attorney will proceed TO FILE the legal lien with the authorities. At that time, JCC will add "**Record Lien**" fees to the owner's account to cover the legal fees to put in the lien. These fees are added to the owner's account.
12. Once the Attorney confirms to JCC that the lien has been lodged for record with the proper authorities, the JCC Office will put a FOR SALE Ad in the Newspaper. At that time, JCC will add to the owner's account the costs of the Ad "**Newspaper Lien Ad**" fees.
13. JCC will email the lien Ad to all JCC owners to increase the potential number of bidders.
14. If JCC receives complete conform payment before the deadline published in the newspaper has expired, JCC will inform the Attorney of the payment, and the lawyer will inform the bidders of the conclusion and file the documentation for future reference.
15. The owner will be responsible for the removal of the lien on his/her property.

16. Once the deadline in the Ad has expired, if no conform payment has been received, the property will be sold to the highest bidder, provided that the highest bid is enough to cover all amounts and fees due, or the bids will be rejected, and the sale process will be re-initiated. Once awarded, the Attorney will complete the sale.
17. The amounts due to JCC, including all the fees and interest charges, will be deducted from the proceeds and the balance reimbursed to the owner.