

Jordan Pasture Property Owners Association
Policy on Delinquent Accounts and Late Payments
(WY State / Laramie County Compliant Version)

Purpose

This policy establishes a clear, consistent process for addressing delinquent assessments and late payments, in accordance with the Association's Bylaws, the Covenants, and **all applicable laws of the State of Wyoming and Laramie County, Wyoming.**

Authority

- **Bylaws:** Unpaid assessments accrue interest at **19% per annum** if not paid more than 30 days after the due date.
 - **Covenants:** Provide additional authority for collection, lien, and foreclosure as set forth in the governing documents.
 - **Wyoming Law:**
 - Title 29, Chapter 1, Article 4 of the Wyoming Statutes governs actions to perfect and to foreclose liens. (wyoleg.gov)
 - Wyoming law allows HOAs (if authorized in their governing documents) to place liens, record them, and foreclose on them, following due notice and legal procedure. (ipropertymanagement.com)
 - Statute of limitations for an HOA to collect assessments / debts is 10 years in Wyoming. (axela-tech.com)
 - **Laramie County:** Recording of liens must be done at the Laramie County Clerk/Recorder's office; fees, format, and filing procedures must comply with county recording rules. The Association must use the real property records maintained by the County Clerk. (laramiecountyyw.gov)
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Definitions

- **Assessment:** Any dues, fees, or special assessments levied under the Association's governing documents.

- **Owner:** The person or entity who is recorded in the Association records (or in county property records) as owning the property subject to assessments.
- **Delinquent Account:** An account for which required Assessment payments have not been paid within **30 days** after the due date.

Interest & Fees

- Assessments unpaid more than 30 days after the due date shall accrue interest at **19% per annum**, as permitted by the Bylaws.
- Reasonable late fees, costs of collections (including attorney’s fees if provided by the governing documents), certified mailing costs, and other allowed costs shall be charged to the delinquent Owner’s account. These costs must be permitted under WY law and the governing documents.
- **All legal fees and costs incurred by the Association in pursuing lien or foreclosure actions, to the fullest extent allowed by the Covenants and Bylaws, shall be the responsibility of the delinquent Owner and not the HOA.**

Delinquency Notification & Lien / Foreclosure Process

Each step below will be carried out in full compliance with state statutes (including Title 29, Chapter 1, Article 4) and with Laramie County recording requirements.

Step	Action	Timing / “No Sooner Than”	Notes / Conditions
1	Initial Notice (first-class mail): informs Owner of overdue balance (principal, interest, fees); gives opportunity to cure.	No sooner than 31 days from assessment due date	Notice must use Owner’s last known address.
2	Certified Mail Notice (return receipt requested): updated delinquent balance; warns of possible lien / foreclosure;	No sooner than 15 days after Initial Notice is sent.	Complies with state notice requirements.

Step	Action	Timing / “No Sooner Than”	Notes / Conditions
	certified-mail cost added to Owner’s account.		
3	Notice of Intent to Lien (via certified mail): gives formal notice of intent to record lien if not cured.	No sooner than 44 days after Certified Mail Notice sent.	Must comply with WY state lien statute notice period.
4	Board Review: Board reviews the account to determine if lien is warranted. May consider Owner communication, hardship, etc.	No sooner than 30 days after Notice of Intent to Lien.	Ensures fairness; gives time for cure.
5	Record Lien: If Board approves, record lien in Laramie County records.	No sooner than 30 days after Board approval.	Must meet all county recording format and fee requirements; record notice properly.
6	Foreclosure Proceedings: If Owner still does not pay after lien and any allowed cure period, the Association may initiate foreclosure under WY statutes.	After lien is recorded and all statutory notice / cure periods have expired, in compliance with WY state law and Laramie County procedures.	Includes filing a complaint in the appropriate court, providing required legal notices, and allowing Owner rights under foreclosure law. All foreclosure costs, including attorney’s fees, are at the expense of the delinquent Owner.

Payment Plans & Owner Communication

- If an Owner contacts the Board regarding late payments **before foreclosure**, the Board will make reasonable efforts to work with the Owner to establish a written payment plan.
- Such payment plans must be approved by the Board, documented in writing, and include amounts due, schedule of payments, interest, fees, etc.

- Entry into a payment plan does **not** waive other rights of the Association (interest, late fees, lien rights) unless specifically and in writing agreed to in advance.
 - All payment plans must comply with Wyoming and Laramie County law.
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Owner Rights & Legal Compliance

- All notices given (Initial, Certified, Intent to Lien, etc.) must satisfy Wyoming law's requirements for content, timing, and method of delivery.
 - Owners shall be given all rights of redemption, notice, and due process as required under Wyoming's lien and foreclosure statutes.
 - The Association shall follow county recording procedures (format, fees, submission) when recording liens.
 - All legal and attorney fees incurred in connection with liens or foreclosure shall be added to the delinquent Owner's account.
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Enforcement & Records

- The Board or its agent shall maintain accurate, dated records of all notices sent, amounts owed (principal, interest, fees), payment plan agreements, and all relevant actions.
 - The policy shall be enforced uniformly and without discrimination.
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Statute of Limitations

- The Association acknowledges that under Wyoming law, the statute of limitations for collecting HOA assessments / debts is **10 years**. After that period, legal claims may be barred. (axela-tech.com)
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Step-by-Step Timeline (WY / Laramie Compliant)

Step	Action	No Sooner Than / Timing
1	Initial Notice (first-class mail)	No sooner than 31 days from assessment due date
2	Certified Mail Notice sent (cost charged to Owner)	No sooner than 15 days after Initial Notice
3	Notice of Intent to Lien (certified mail)	No sooner than 44 days after Certified Mail Notice
4	Board reviews account for lien	No sooner than 30 days after Notice of Intent to Lien
5	Lien may be recorded if approved	No sooner than 30 days after Board approval, using Laramie County recording procedures
6	Foreclosure may begin	After lien recording + any statutory cure / notice / redemption periods under WY law; all costs at expense of Owner

Adoption & Review

- This policy shall be adopted by resolution of the Board of Directors of the Jordan Pasture Property Owners Association.