

DILLON VALLEY EAST CONDOMINIUM ASSOCIATION
BOARD OF MANAGERS MEETING
April 2, 2020

I. CALL TO ORDER

The meeting was called to order by Richard Garcia at 7:10 p.m. via teleconference.

Board members participating were Richard Garcia, Lisa Watkins, Joyleen Helcoski, Nate Willis and Carl Henry.

Representing Basic Property Management were Gary Nicholds, Eric Nicholds, Patti Vande Zande and Matt Litowkin. Erika Krainz of Summit Management Resources was recording secretary.

II. DISCUSS ACTION RE: MONTHLY DUES PAYMENTS & DELINQUENCIES

Rich Garcia and Gary Nicholds have done considerable research online and consulted with the attorney.

The policy on delinquencies and late payments was reviewed. The Board has a duty to act in the best interest of the Association, not in the interest of owners who may be in a financially difficult situation due to COVID-19. Whatever action is taken with respect to assessments in reaction to the pandemic may have a severe impact on the Association several months from now. The Board must consider the financial health of the Association in the future.

Per the Executive Order from Governor Jarod Polis, Section II, Item K: “Nothing in this Executive Order relieves a tenant of the obligation to pay rent, or restrict a landlord’s ability to recover rent due, or otherwise comply with the public health and safety requirements or other legal requirements.”

The options include:

1. Waive payments for two or three months, then continue business as usual.
2. Enact a moratorium on payments for two or three months, then have owners pay a portion of the missed months plus their dues for the next six months.
3. Announce to all owners that there will not be late fees for two or three months.

Gary Nicholds said the attorney suggested handling problems on a case by case basis. Owners should be allowed to explain their situation to the Board. Some other Associations are waiving the Reserve contribution portion of the dues for a few months, or waiving late fees and interest or giving owners extra time to repay.

Patti Vande Zande did not support a full waiver of payments as this could put the Association in immediate financial distress. It is unknown how many owners will be unable to pay their dues. She suggested re-evaluating the situation later in the year if owners are not paying. She would support waiving late fees, but noted a decision will need to be made regarding how to handle owners who are already in arrears or in the collection process.

Richard Garcia proposed waiving late fees and penalties for owners in financial hardships and working with owners on a case by case basis.

Gary Nicholds said the attorney recommended continuing to file liens, within some set parameters, for owners who fail to pay dues to protect the Association's interests.

Patti Vande Zande said the current procedure is to charge late fees and interest at 90 days, then to give the owner 30 days to pay before the account is turned over to collections. There is one owner who has been in collections for about five months.

The Board agreed to adopt a Resolution for a moratorium on late fees and penalties for 60 days upon owner request, and to reevaluate and extend if necessary at the end of that period. Richard Garcia will be the point of contact for owners who request relief and will work with Patti Vande Zande on the individual cases. Patti will advise owners who call her to contact Rich.

Motion: Lisa Watkins moved to enact a 60-day moratorium on late fees and penalties and to pursue delinquencies as usual after that time. Carl Henry seconded and the motion carried unanimously.

Action Item: Richard Garcia will send the proposed verbiage for the Resolution to all Board members for review.

III. ADJOURNMENT

The meeting was adjourned at 7:41 p.m.

Approved By: _____ Date: _____
Board Member Signature