

Board of Directors  
Oxford Park Community, Inc.  
c/o Westford Real Estate Management, LLC  
384 Hartford Turnpike Suite 200  
Vernon CT 06066

August 15, 2016

Dear Oxford Park Unit Owners:

At a special meeting on August 9, 2016, the board of directors of Oxford Park Community, Inc. adopted the foreclosure policy copied below as a rule. As required by law, notice of the meeting was sent to all unit owners not less than ten days before the meeting, and unit owners were provided with the opportunity to comment on the proposed rule. No comments were received.

Please retain the copy of the rule provided below with your Oxford Park records.

Regards,

The Board of Directors

RESOLUTION  
OF  
THE EXECUTIVE BOARD  
OF  
OXFORD PARK COMMUNITY, INC.,  
ADOPTING A STANDARD FORECLOSURE POLICY

I. Statement of Facts

- A. For the proper operation of the community, the association must collect all sums due from the unit owners in a timely manner.
- B. The association has authority under the Connecticut Common Interest Ownership Act (“the Act”) collect the sums owed to it and, if necessary, to foreclose its statutory lien on delinquent units.
- C. The association wishes to adopt a standard policy for commencing foreclosures.

- D. The Connecticut Supreme Court has held that a standard foreclosure policy is a rule and must be adopted in accordance with the "Notice and Comment" procedures set out in subsections (a) and (b) of Section 47-261b of the Act.

## II. Statement of Authority

- A. The documents of the association and Section 47-244(a) of the Common Interest Ownership Act ("the Act") give the board the power to collect sums owed from unit owners.
- B. Section 47-258 of the Act permits the association to bring foreclosure actions against units to collect unpaid common charges, together with the association's attorneys' fees and costs.
- C. Subsection 47-258(m) of the Act provides that an association may not commence an action to foreclose its statutory lien on a unit unless: the unit owner, at the time the action is commenced, owes a sum equal to at least two months of common charges; the association has made a demand for payment in a record; and the executive board has either voted to commence a foreclosure action specifically against that unit or has adopted a standard policy that provides for foreclosure against that unit.

## III. Resolution

NOW THEREFORE IT IS RESOLVED that the rules of Oxford Park Community, Inc., ("the association") are hereby amended to add the following standard foreclosure policy:

- A. Before sending a delinquent account to its attorneys, the association shall send the unit owner, by first class mail, at least one written demand for the amounts owed. The last written demand sent by the association shall include, but shall not be limited to, the following:

- (1) A statement that the delinquent account is being sent to the association's attorneys who are authorized to make a final written demand for payment;
  - (2) A statement that the association's attorneys are authorized to take action to foreclose on the unit if the unit owner does not pay or make arrangements to pay the amounts owed within 30 days after final demand is mailed to the unit owner, or if the unit is subject to any mortgages, within 60 after final demand is mailed to the unit owner;
  - (3) A statement that the association is entitled to collect, in addition to the common charges and other fees owed, the property manager's legal turn over fee and all attorneys' fees and costs, including, but not limited to, costs for conducting and reviewing a title search on the unit;
  - (4) An estimate of the attorney's and property manager's fees and costs.
- B. Once the association sends a delinquent account to its attorneys, the attorneys shall conduct a title search on the unit, make final written demand for payment on the unit owner and give notice to the holders of first and second mortgages on the unit, if any;
- C. Once final written demand is made, the attorneys are authorized to commence a foreclosure action against the unit owner, mortgage holders, and lien holders with no further action by the executive board if:
- (1) at least 30 days have passed since the attorneys made final written demand on the unit owner, or if the unit is subject to any mortgages, at least 60 days have passed since the attorneys made final written demand on the unit owner and gave notice to the first and second mortgage holders;

- (2) the unit owner continues to owe the association a sum equal to or greater than two months' common charges, the oldest part of which sum is at least 60 days past due; and
  - (3) the unit owner has not agreed to and is not following a payment plan that will bring his or her account, including applicable attorney's fees and costs, entirely current in six or fewer monthly payments.
- D. The executive board reserves the right, pursuant to section 47-244(19)(g) of the Connecticut General Statutes, to exercise its discretion with respect to a unit owner who has extraordinary hardship or other unique circumstances.

Adopted by the Board of Directors of Oxford Park Community, Inc. on August 9, 2016