

### C. Requests for relief

- 1) A homeowner may request that the late fee be waived, and/or to pay the assessment over time, on a payment plan.
- 2) Only homeowners in good standing may request relief. Good standing means that the homeowner is current with prior assessment payments, and has no remaining unpaid, prior-year assessments, fees or interest.
- 3) It is the BPRA Board's preference that:
  - i. any request for relief be filed prior to the deadline for "timely" payment (historically fixed as March 31<sup>st</sup>);
  - ii. any request be accompanied by a good-faith payment of at least one-third of the Annual Assessment amount;
  - iii. any request be submitted in writing;
  - iv. any request uses the BPRA relief form found on the StrathmoreBelPre.org website; and
  - v. any request be submitted via first class mail or e-mail

### D. Criteria for Relief

- 1) Payment of the full assessment and interest are required under the Covenants<sup>3</sup> and by order of the Montgomery County Commission on Common Ownership Communities.<sup>4</sup>
- 2) Payment of the Annual Assessment may not be waived and must be paid in full.
- 3) Simple interest (generated per month) also may not be waived.
- 4) Relief is limited to:
  - i. terms providing the homeowner additional time in which to make payment before the BPRA refers the matter to its attorney or files a lien on the property; and/or

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<sup>3</sup> Article V, § 1 of the Strathmore Bel Pre Covenant of March 13, 1968, requires that each homeowner pay the annual assessment (and any special assessments) and requires that the assessments are to be uniform for each lot. Sections 7 and 9 of that article specifies that the annual assessment is due on March 1 of every year, and that if the homeowner fails to pay the annual assessment within 30 days, that the debt bears 6% interest and the BPRA may take legal action to recover the debt and collection costs and to place a lien on the property.

<sup>4</sup> In *Ramsay v. BPRA* (Case No. 369-0), pp. 12-13, the Montgomery County Commission on Common Ownership Communities ruled that since the 1968 Covenant says that the delinquency "shall" bear interest, the BPRA does not have the option of waiving it.