

## Why Pay Your Dues?

I am asked many times “Why do we have to pay dues in the Birches West?” The short answer is that the association by-laws require us to pay dues. But that’s not the real reason we pay dues. We pay our dues to contribute to the common good of the community and its members. This community was established as a property owners’ association with common areas and certain amenities including the pool, tennis and basketball courts. All of these recreational facilities are for the use and enjoyment of all of the association members. In order to make sure that these facilities would be maintained in good condition, the founder of the community stipulated that all members would contribute to their upkeep and operation through the payment of dues. To make sure that there would always be sufficient funds for the operation of the recreation areas, the founder required that all property owners pay dues, whether or not they use the facilities.

Unfortunately, there are some in the community that either don’t understand their obligation to pay dues or they simply don’t care about their obligation. Now let’s be honest here; I don’t like to have to pay dues, or taxes for that matter, any more than the next guy, but the bottom line is that I knew going in when I bought my property that if I wanted to live in the Birches West, I would be required to pay dues. If I didn’t want to pay dues, then I had the choice of not buying here as did everyone else who bought property here. Some people who have bought here have told me that they were not told they had to pay dues when they bought their property. That is unfortunate, but it is ultimately the responsibility of a perspective buyer to research the property they intend to buy. Just because you were not told about the dues or didn’t do your homework when you bought here doesn’t take away your obligation to pay.

Others have asked why they have to pay since they don’t utilize the recreation facilities. Again, whether or not you use the facilities, you are required to pay. It is your decision not to use the facilities, but you are more than welcome to use them if you desire. And again, you knew, or should have known that you would have to pay dues even if you don’t use the recreation facilities.

What happens if you don’t pay your dues? Well, first you are sent two reminders. If you still don’t pay, then the association files for a judgment against you in court. Once this judgment is filed, the association has a lien against your property and if you sell your property, your outstanding dues are paid out of your sale price. If you don’t sell, the association can order a sheriff’s sale of your property to recover the outstanding dues or can attach personal property such as automobiles, boats or other valuables. Even if these actions are not undertaken, the judgment against you will negatively affect your credit rating and make it difficult to obtain loans and credit cards.

I have been asked why the association is so “cutthroat?” and “Why can’t the association be more friendly?” Obviously, the association doesn’t want to go to extremes to collect unpaid dues. However, consider this: is it fair that the majority of association members pay their dues on time each year and a small few do not? It should be remembered that

the association Board members are elected and entrusted to be the “caretakers” of the community’s facilities and monies. With that responsibility comes the requirement that we act in total fairness to each association member. That includes insuring equal access to the facilities and enforcing the rules of the association equally, including the collection of dues. So you see, by making sure that all efforts are made to ensure all association members pay their dues is not being cutthroat; it is simply making sure that everyone pays their fair share. Members who pay their dues faithfully each year should be offended by those who don’t. Additionally, the Board is not “unfeeling” as some would say regarding those members who are experiencing financial difficulties and have a hard time paying their dues. The policy is that those who are in need of help simply have to request to make monthly payments and sign a contract with the association promising that they will make the payments when required, just as you would with a bank loan. We understand that people have money problems, but everyone must remember that your obligations still apply, just like your mortgage, taxes, utility bills and credit cards. And it should also be remembered that your dues are no less of a priority than your mortgage, taxes and other bills.

Some association members don’t understand that this association is a business of sorts. Just like other businesses, we have monthly bills to pay, an employee payroll, and repairs and maintenance of equipment to make. We can’t just pay our bills “when we feel like it.” And because of that, we as association members can’t just pay our dues when we feel like it.

So in closing, I ask you not as association President, but as a fellow association member; please think of all the other association members and be fair to them by paying your dues when they are due.

Thanks,

Chris Eckert  
Former President