

# THE PROPERTY LINE

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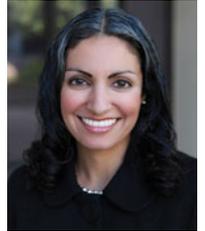
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## Why Personal Judgments?

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**Until recent times, homeowner associations wielded a “big stick” when it came to delinquent assessments.** The ability to record a lien against a property and foreclose on the property in order to satisfy that lien was a very important right of the Association and one that homeowners generally feared. However, the downturn in the real estate market has changed the enforcement landscape considerably. The right to take a property to a foreclosure sale is one that is becoming less attractive for homeowner associations and less worrisome for homeowners, especially when a senior lien holder has already begun foreclosure proceedings.

Angius & Terry has worked to address this issue by creating the Personal Judgment Lawsuit Program whereby Associations can file collection lawsuits in Superior Court against delinquent members. This method allows Associations to obtain personal judgments against the individuals, rather than attempting to satisfy the debt by taking the property after a foreclosure sale. We believe that such lawsuits may be the preferred collection method, especially when a senior lien holder has already begun foreclosure proceedings, for the following reasons:

1. The Association doesn't have to deal with senior lienholders or potential foreclosure actions on the property the Association owns.
2. The Association can take the judgments it obtains and take steps to actually collect that money through various methods - actual dollars and cents in the Association's pocket!
3. Angius & Terry LLP offers a very reasonable flat fee program which makes filing such a lawsuit against multiple<sup>1</sup> delinquent homeowners cost-effective and time-efficient.

If your Association has long-standing delinquent accounts and traditional methods of collection have not worked, a personal judgment lawsuit may offer a solution. Please contact Angius & Terry to discuss the details of our Personal Judgment Lawsuit Program and determine if it is right for your Association.

<sup>1</sup> Up to 10 properties in a single action.

A handwritten signature in black ink, appearing to read "Zer Iyer".

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