



OFFICE OF FINANCE

Dear Maintenance Corporation,

New Castle County currently has a program in which the County sends annual bills and processes payments on behalf of some Maintenance Corporations (MCs) for the MC dues or assessments that residents of the subdivision are required to pay. As of January 1, 2010, this program was opened to all Maintenance Corporations in New Castle County. This program is not for civic associations, condominium associations, etc.; it is for Maintenance Corporations only.

Maintenance Corporations that are already in this program and wish to remain in the program for 2011 will be required to complete and sign the attached Annual Enrollment Form by **February 14, 2011**. Other MCs wishing to join the program for the first time will be required to complete and sign the attached Annual Enrollment Form by **January 18, 2011** if they want New Castle County to handle the billing in 2011. The deadline for MCs that are new to the program is earlier than for MCs already in the program because of the time it takes to set up new MCs in the billing system.

Any Maintenance Corporation not currently in the program that returns a signed enrollment form after January 18, 2011 will not be able to participate in the program in 2011, but will be added to the program in 2012. There will be no exceptions.

Beginning January 1, 2010, New Castle County began charging Maintenance Corporations participating in the program an annual "per parcel" fee to cover costs associated with providing the billing services. Doing this ensures that only those benefitting from the service are paying for it, rather than having all County taxpayers pay for the program as part of their annual property tax.

The fee will be \$6.00 per parcel for 2011 but may be changed in future years. By December 1 of each year, the County will set the annual "per parcel" fee for the following calendar year and will inform the MCs in the program of the amount of that fee. The total fee owed by each MC will be deducted from the May remittance to the MC.

As part of the Maintenance Corporation billing program, New Castle County will do the following:

- Print and mail bills for the annual MC assessment charges in March, using the assessment amount provided by each MC. The due date for the bills will be April 30. (If April 30 falls on a weekend or holiday, the following business day will become the due date.)
- Add penalty once a month to amounts that are unpaid as of the last day of the prior month, and send past due notices in May, August, and November to owners with unpaid balances.
- Make any authorized adjustments to assessment or penalty amounts. No adjustments will be made without written authorization from the Maintenance Corporation, except to correct an error made by the County.
- Remit amounts received to each Maintenance Corporation by check based on the schedule below. (Note: checks will be mailed during the third or fourth week of the month listed.)
 - February (for payments posted from November 1 to January 31)
 - May (for payments posted from February 1 to April 30)
 - June (for payments posted from May 1 to May 31)
 - August (for payments posted from June 1 to July 31)
 - November (for payments posted from August 1 to October 31)
- With each remittance, a report showing payments by customer for that period will be included.

- Note: The Maintenance Corporation may also periodically request a report showing unpaid amounts by customer.

All questions and concerns should be directed to the New Castle County Treasury Staff member as follows:

Jeff Stuart
Phone: (302)395-5199
E-Mail: jstuart@nccde.org
Mail: New Castle County – Treasury
87 Reads Way
New Castle, DE 19720

Each Maintenance Corporation in the program must fulfill *all* of the obligations listed below. Any MC that does not fulfill all of these obligations may be removed from the program.

- MCs already in the County billing program must return the Annual Enrollment Form by February 14 each year. The enrollment form must be signed and every item must be completed. (Note: If Feb. 14 or any other due date mentioned here falls on a weekend or holiday, the due date will be changed to the next business day.)
- MCs that are new to the program must return a signed, fully completed Annual Enrollment Form by January 15 of the year they first join the program. Thereafter, the enrollment form will be due by Feb. 14.
- MCs must provide the County with a current contact person for the MC in the Annual Enrollment Form. The County will send this person all correspondence and checks for MC dues/assessments received.
- MCs must provide the annual MC assessment amount to be charged for each parcel in the subdivision, as well as the penalty amount or percentage that will be charged for past due balances.
- All services for which MCs are charging in the annual assessment must be allowable according to applicable County and State laws. MCs are only allowed to charge for certain things, so only those items may be included in the annual assessment.
- Any adjustments to penalty must be authorized by the MC in writing to NCC.
- It is the MC's responsibility to answer any questions about the annual assessment, penalty charges, or any other questions related to the charges on the bills. NCC will not answer these questions.
- Collection of unpaid amounts is the responsibility of the MC. The County will not take any collection action on unpaid amounts other than to send three past due notices per year as previously explained.

A final reminder of the deadlines:

- Maintenance Corporations that are already in the billing program must return the attached Annual Enrollment Form by **February 14, 2011**.
- MCs that are not currently in the billing program but wish to join it in time for the March 2010 billing must return the attached Annual Enrollment Form by **January 18, 2011**.

We look forward to assisting many Maintenance Corporations through this program.

Sincerely,

Edward M. Milowicki
Acting Chief Financial Officer

2011 New Castle County Maintenance Corporation Billing Program Enrollment Form

Purpose:

This document enrolls the identified Maintenance Corporation in New Castle County's Maintenance Corporation billing program, defines the scope of the program, and sets forth the obligations of participating Maintenance Corporations.

I. Services to be provided by New Castle County

Billing functions to be provided by New Castle County

New Castle County will print and mail annual Maintenance Corporation bills, and three follow-up bills on unpaid balances. Bills will be sent to the mailing address contained in the County's tax records.

The County only bills for assessments from the time that a Maintenance Corporation enters the County program. The County will not add any unpaid assessment balances to accounts which existed prior to their entering the County program.

Billing Schedule

Maintenance Corporation bills shall be issued by New Castle County according to the following schedule:

March	Annual bills are mailed. The due date is April 30. If April 30 is a weekend or holiday, the following business day will become the due date.
May:	First delinquent notice
August:	Second delinquent notice
November:	Third delinquent notice

Receipt and processing of payments

New Castle County shall receive payments and post to property owner accounts. The County shall deposit payments into an account set up specifically for the Maintenance Corporation payments. This account will be separate from all other County accounts.

Remittances to Maintenance Corporation

The County shall remit payments to Maintenance Corporations by check according to the following schedule:

February	all payments posted from November 1 to January 31
May	all payments posted from February 1 to April 30
June	all payments posted from May 1 to May 31
August	all payments posted from June 1 to July 31
November	all payments posted from August 1 to October 31

These payments will be mailed by New Castle County no later than the last day of the listed months. Payments will be accompanied by a report that details payment information by tax parcel number. Maintenance Corporations may request a report detailing unpaid accounts on a periodic basis through the County contact.

Penalty on unpaid balances

Penalty will apply to unpaid balances the first of every month according to the formula supplied by the Maintenance Corporation.

The County may not post every payment received on the last day of the month by the end of business on that day. The Treasury section of Finance will calculate and post penalty after it has posted all “on time” payments for that month. Penalty will be due after the first of the month even if it has not been added to the account yet.

Adjustments and Corrections

New Castle County will only adjust accounts to correct an error by the County. It will not make other adjustments without written authorization from the Maintenance Corporation.

II. Cost for New Castle County Services

Per parcel fee

New Castle County shall charge participating Maintenance Corporations an annual per parcel fee to cover all costs associated with the billing program. The program is designed to be self sustaining, and shall not be funded by New Castle County taxpayers.

New Castle County will set the annual “per parcel” fee for the following calendar year by December 1 of each year. Every Maintenance Corporation will pay this fee multiplied by the number of parcels to be billed by the County.

Deduction by New Castle County

The total annual fee [(county “per parcel” fee) x (# of parcels)] will be deducted by New Castle County prior to the County’s transmittal of the May remittance. If the May remittance is insufficient to cover the annual fee, the remainder will be deducted from the June remittance.

2011 per parcel fee

The per parcel fee for 2011 shall be \$6.00.

III. Obligations of the Maintenance Corporation:

The Maintenance Corporation must meet all obligations listed below. If it does not, it may be removed from the program.

Due Dates for enrollment forms

This enrollment form must be completed and received by New Castle County as follows:

Maintenance Corporations that have not previously participated in this program must submit this form by January 18, 2011.

Maintenance Corporations that already participate in this program must submit the form by February 14, 2011

Signature of authorized member of the Maintenance Corporation

This enrollment form must be signed by the President or other authorized member of the Maintenance Corporation. Every requested item must be completed.

County contact

The Maintenance Corporation must supply the name and contact information of the designated contact person. The County will direct all correspondence, including the periodic payments to the contact person. It is the contact person's responsibility to notify the County immediately if the contact or any of the contact's information changes.

Compliance with State Law and County regulations

The Maintenance Corporation bears the responsibility for ensuring that all charges for services included in the annual maintenance corporation assessment are consistent with all applicable State and County Codes.

Collections Activity

Any collections action is the sole obligation of the Maintenance Corporation. New Castle County will not undertake any collections activity for unpaid balances, other than sending three delinquent notices as listed above in the County services section. New Castle County will not add any "other" charges to the customer's assessment bill. This includes but is not limited to any charges incurred by the Maintenance Corporation for any collection activity. As stated in section I, the county will not add any unpaid assessment balances that reside on any parcels when the subdivision first enters the county program. It is the responsibility of the Maintenance Corporation to bill and collect any such amounts.

Disputes

The Maintenance Corporation must resolve any disputes about penalty charges or annual billing amounts. Inquiries received by New Castle County will be directed to the Maintenance Corporation contact.

Penalty Adjustments

If the Maintenance Corporation agrees to adjust penalty for a customer, it must send this instruction to the County in writing.

Annual Renewal

New Castle County will mail the agreement to the Contact person identified by the Maintenance Corporation in December of each year. Participating Maintenance Corporations must submit an annual renewal form by February 14 of each year. If February 14 is a weekend or holiday, the form shall be due by the next business day.

IV. To Be Completed by the Maintenance Corporation

County Contact

Maintenance Corporation Name _____

Number of parcels in subdivision _____

Maintenance Corporation Address _____

Contact Name _____

Contact Address _____

Contact Telephone Number _____

Contact Email Address _____

Additional Information _____

Annual Assessment

Amount to be billed per parcel for March, 2011 _____

Penalty Calculation

In the space below, please provide formula for imposition of penalty on unpaid balances, if any.

By signing this enrollment form, the Maintenance Corporation affirms that it understands everything in the form, including the County services, fees, and Maintenance Corporation obligations, and that it will fulfill all of its obligations.

Signature of President or authorized member of the Maintenance Corporation

Signature

Print Name and Title

Date _____