

# Assessment Recovery

*From the firm with the widest range  
of HOA-related legal services*

**Carpenter Hazlewood's Assessment Recovery practice has  
been delivering successful outcomes for over 30 years.**

With an unwavering commitment to excellence, we handle several thousand collection cases daily. Our dedicated team of experienced attorneys and paralegals is readily available to guide you through every step of the process. If you have a question, they're just a phone call or text message away.

## *Flexible Plan Options*

**We offer three approach and payment options**

for you to choose from: Homeowner Pays,  
Pay-As-You-Go, or Hold the Fees Foreclosure.

Here's how they work:

- ▶ [HOMEOWNER PAYS](#)
- ▶ [PAY-AS-YOU-GO](#)
- ▶ [HOLD THE FEES FORECLOSURE](#)

***Call or email us*** at (800) 743-9324 or [info@carpenterhazlewood.com](mailto:info@carpenterhazlewood.com)  
to discuss the best option for you



# *Homeowner Pays Plan*

## **The Way to Save Up-front Costs for Personal Money Judgments**

If your association aims to **collect without any up-front cost**, this option may be the right fit for you. Carpenter Hazlewood takes on the risk and expense of pursuing the delinquent account.

The Homeowner Pays approach is right for personal money judgment (Justice Court) lawsuits accounts not previously referred to another attorney or collection provider.

### **How fees and costs are handled:**

- Carpenter Hazlewood advances all fees and costs.
- Owner payments are allocated to costs first, then split on a 50/50 basis until the fees advanced by the Firm have been reimbursed. Once reimbursed, 100% of the fees go to the association.
- In the event an owner files for bankruptcy or contests the lawsuit, expenses shift to a Pay-As-You-Go basis. Details are here. [PAY-AS-YOU-GO](#)

### **Things to consider:**

- Carpenter Hazlewood has the authority to waive soft costs, such as late fees, fines, and interest charges.
- Carpenter Hazlewood can authorize payment agreements.

*Other Plan Options* ► [PAY-AS-YOU-GO](#)

► [HOLD THE FEES FORECLOSURE](#)



## *Pay-As-You-Go*

### **Our Fee-for-service Option**

This is our most simple and straightforward way to structure fees.

**And it works for any account.**

#### **Pay-As-You-Go is right for:**

- Personal money judgment (Justice Court) lawsuits.
- Foreclosure.

#### **How fees and costs are handled:**

- The association incurs and pays fees and costs on a Pay-As-You-Go basis.
- Flat fees typically apply to Justice Court lawsuit services.
- Foreclosure services are offered on an hourly basis.

#### **Things to consider:**

- Any account is eligible.
- The association retains authority over all decisions and all aspects, including waiver and payment agreements.

*Other Plan Options* ► [HOMEOWNER PAYS](#)  
► [HOLD THE FEES FORECLOSURE](#)

# *Hold The Fees Foreclosure*

## **Our Hybrid Approach**

If your association wants to preserve cash flow, this option is worth considering.

### **Hold the Fees Foreclosure is right for:**

- Foreclosure

### **How fees and costs are handled:**

- Carpenter Hazlewood advances attorneys' fees.
- The association pays the costs (these are charges paid by the Firm to third parties—for example court filing and process server fees).
- Owner payments are split on a 50/50 basis until the fees advanced by the Firm have been reimbursed. Once reimbursed, 100% of the fees go to the association.
- Unless an exception applies, fees that haven't been reimbursed are not due until after the Sheriff's Sale.
- Typical exceptions include Trustee's Sale, tax lien foreclosure, if an owner files for bankruptcy, or the owner contests the lawsuit.

### **Things to consider:**

- The account must meet the statutory foreclosure threshold (the owner must owe a minimum of \$1,200 in pure assessments or have failed to make a payment towards assessments in a year).
- Hold the Fees Foreclosure can be used on its own or can follow a personal money judgment obtained through one of our other Assessment Recovery options.

*Other Plan Options* ► [PAY-AS-YOU-GO](#)

► [HOMEOWNER PAYS](#)



# Typical Timeline

## Arizona Justice Court Collections

Initial Action		Follow Up		If Necessary	
1	Demand Letter and Payment Agreement 45 days	2	Justice Court Lawsuit to Judgment Up to 4 months	3	Post-Judgment and Garnishment Up to 4 months

For a flat fee, the debtor receives a demand letter on Carpenter Hazlewood letterhead. We take phone calls from debtors. **Nearly 33% of all cases are resolved without a lawsuit through payment in full or the owner making payment arrangements.**

We accept credit card payments over the phone and on [carpenterhazlewood.com](http://carpenterhazlewood.com). Monthly status reports are available online 24/7 and are provided at *no additional charge*.

Before filing a lawsuit, we obtain an official deed from a title company, check for a Trustee's Sale notice, review the owner's location and ownership status, check for an AZ bankruptcy filing, screen for active military duty status, and review the amount owed. We may or may not recommend a lawsuit depending on the viability of collecting from the debtor. The case may proceed to judgment, typically by default, or may be resolved without judgment. We monitor the property for changes in ownership or new lender foreclosure activity *at no additional cost*.

**We utilize experienced investigators and professional resources to locate owner employment and bank asset information**

making wage garnishment an option.

Judgments are recorded and judgment liens are attached to an owner's real property (including non-association property) if collection does not appear likely. This often results in a successful recovery when the owner buys, sells, or refinances real property.

**Debtors and owners can make payments  
through our website**



**Javier Delgado leads Carpenter Hazlewood's  
Assessment Recovery practice.**

In addition to representing homeowner and condominium associations, Javier trains board members and community association managers. He is a regular presenter for Community Associations Institute (CAI) and the Arizona Association of Community Managers (AACM).

[Click here to email Javier](#)



**Nikita Patel is a shareholder at Carpenter  
Hazlewood. She manages the firm's  
Assessment Recovery practice.**

Nikki represents hundreds of associations in collecting delinquent homeowner assessments and oversees associates, paralegals, and support staff. Nikki educates community association boards on the collections process as well as assists boards in adopting and implementing collection policies.

[Click here to email Nikki](#)

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**Carpenter, Hazlewood, Delgado & Bolen** is one of the Southwest's leading full-service business and community association law firms. With more than 30 attorneys located in Tempe, Tucson, and Prescott, Arizona and Denver, Colorado, Carpenter Hazlewood has been putting 'clients first' for nearly three decades. [\*\*carpenterhazlewood.com\*\*](http://carpenterhazlewood.com)