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CHAMBER ACTION

Senate

House

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Floor: 1/AD/3R
4/25/2008 10:56 AM



1 Senator Ring moved the following **amendment**:

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3 **Senate Amendment**

4 Delete lines 102 through 119

5 and insert:

6 (c) The association may bring an action in its name to
7 foreclose a lien for assessments in the same manner in which a
8 mortgage of real property is foreclosed and may also bring an
9 action to recover a money judgment for the unpaid assessments
10 without waiving any claim of lien. The association is entitled to
11 recover its reasonable attorney's fees incurred in an action to
12 foreclose a lien or an action to recover a money judgment for
13 unpaid assessments.

14 (d) If the parcel owner remains in possession of the parcel
15 after a foreclosure judgment has been entered, the court may
16 require the parcel owner to pay a reasonable rent for the parcel.
17 If the parcel is rented or leased during the pendency of the



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18 foreclosure action, the association is entitled to the  
19 appointment of a receiver to collect the rent. The expenses of  
20 the receiver must be paid by the party who does not prevail in  
21 the foreclosure action.

22 (e) The association may purchase the parcel at the  
23 foreclosure sale and hold, lease, mortgage, or convey the parcel.