

# LUTZEL, BROADWAY and ASSOCIATES, PC

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June 23, 2025

Owners (Co-Owners) and Members of the  
Myrtle Beach Resort Horizontal Property Regime Council of Co-Owners  
5905 S. Kings Highway  
Myrtle Beach, SC 29575

Re: Notice of Procedures for Delinquent Dues Enforcement and Associated Restrictions

Disseminated via FirstService Residential, Managing Partner

Dear Homeowner:

The Board of Directors recently met to further discuss the ongoing issue of delinquent association dues and the enforcement of community rules. There is unanimous agreement that the failure of certain homeowners to pay their prorated share is placing an undue burden on others who remain current, as they are effectively covering the shortfall caused by delinquencies.

This letter serves formal notice of the Association's procedures regarding the enforcement of dues collection, including the initiation of foreclosure proceedings where applicable. The Board is committed to ensuring fairness and financial stability within our community and, as such, will be taking the following actions:

1. **Collection Efforts**: Continued non-payment of dues will result in the account being turned over to legal counsel for action.
2. **Lien Filing**: After a period of 90 days of unpaid assessments, a lien may be placed against the property for all unpaid assessments, interest and fees.
3. **Foreclosure**: If delinquency persists beyond 90 days, the Association may initiate foreclosure proceedings in accordance with South Carolina Code of Laws and the governing documents of the Association after 120 days in delinquent status.
4. **Owner Restrictions**: As stated in the Master Deed and the By-Laws, delinquent owners will be subject to restrictions, including but not limited to suspension of voting rights and access to common areas and amenities; specifically, but not limited to:

(a) The Owner and any occupant of that Owner's Apartment is denied the right to use of the common amenities of the Master Association (also known as the amenities of the Master HOA). [Reference: Master Deed, Article III; Section 3-- Reservation of Right: The Board of Directors reserves the right to enforce any owner or occupant the right to occupy their apartment upon delinquency.]

(b) The Owner and any guest, lessee (renter) or invitee is denied the right to use of the common amenities of the Myrtle Beach Resort Horizontal Property Regime Council of Co-Owners (also known as the amenities of the A-Building). [Reference: By-Laws of Myrtle Beach Resort Horizontal Property Regime Council of Co-Owners, Article XII; Section 5].

(c) The Owner or Co-Owner's permission to lease or rent their unit is denied and shall be refused entrance into the Regime until the account is brought current. [Reference: By-Laws of Myrtle Beach Resort Horizontal Property Regime Council of Co-Owners, Article XII; Section 5 – Reservation of Right: The Board of Directors reserves the right to enforce any owner or occupant the right to occupy their apartment upon delinquency.]

All homeowners are urged to remain in good standing by ensuring timely payment of their dues. If you are currently experiencing financial hardship, we encourage you to contact the Board of Directors immediately to discuss potential payment arrangements.

Thank you for your attention to this important matter and for your continued cooperation in maintaining the financial health and integrity of our community.

With kind regards,

Lutzel, Broadway & Associates, PC



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Richard J. Lutzel, Esquire