

Section 7.7 - Sample Provision Excerpt (Public Preview)

Roof Pitch Permitted materials Plumbing vents, roof vents, attic jacks, etc. Solar panels, TV dishes and antennas 310  
Windows Pennitted Not permitted Wood, vinyl, metal, or a combination thereof. Reflective glass or glazing, burglar bars,  
solar screens, or flushmounted windows. Windows facing the street must be divided light or simulated divided light with  
exterior muntins. Muntins are a strip of wood or vinyl separating and holding panes of glass in a window; also known as  
glazing bars. Required

ISSUE #1



MARKUP #1 ->



MARKUP #1 · STATUTORY FINING & HEARING DEFECT

BOARD & COUNSEL REVIEW

**Sec. 7.7 (p. 30): Fining or suspension provision omits modern statutory due-process safeguards (advance written notice specifying the violation and curing window, formal hearing procedure, and statutory fine caps) required under Tex. Prop. Code §§ 209.006, 209.0061, 82.102(d).**

**Statutory / Legal Reference: Tex. Prop. Code Ch. 209 (Texas Residential Property Owners Protection Act) & 22 TAC § 535.401 (TREC Management Certificate Rules); Tex. Prop. Code § 209.006, 209.0061**

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

**CURRENT WORDING IN DOCUMENT:**

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**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

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