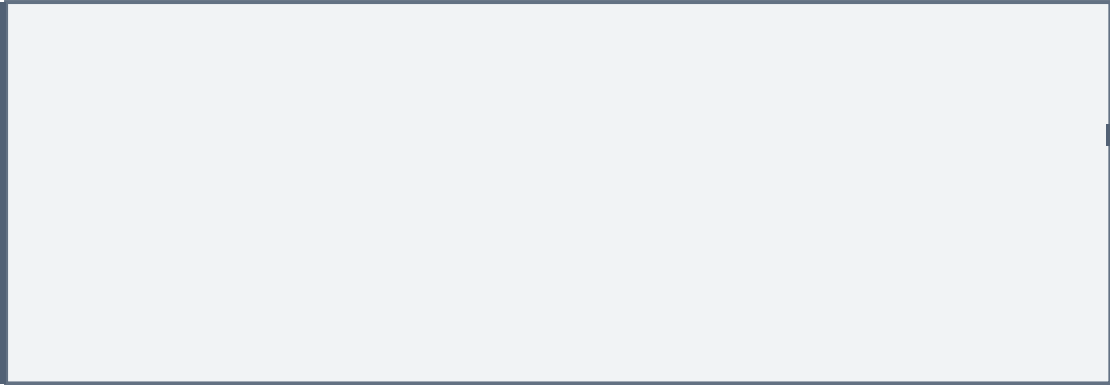




Section General - Sample Provision Excerpt (Public Preview)

provide solar energy capture capabilities; or c. provide greater resistance and to wind and hail damage. Once installed, any such Alternative Shingles must; a. resemble the shingles used or authorized to be used on other structures within the Association; b.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. General (p. 2): Clause prohibits or over-restricts solar energy devices in conflict with Tex. Prop. Code § 202.010.

Statutory / Legal Reference: Tex. Prop. Code § 202.010

Statutory Comparison: Tex. Prop. Code § 202.010 renders void any dedicatory instrument provision that prohibits or restricts a property owner from installing a solar energy device, unless one of the narrow statutory exceptions in § 202.010(d) applies. An association may not deny a front-facing roof installation if the owner demonstrates using the NREL PVWatts Calculator that an alternate roof orientation does not...

CURRENT WORDING IN DOCUMENT:

provide solar energy capture capabilities; or c. provide greater resistance and to wind and hail damage. Once installed, any such Alternative Shingles must; a. resemble the shingles used or authorized to be used on other structures within the Association; b.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

provide solar energy capture capabilities; or c. provide greater resistance and to wind and hail damage. Once installed, any such Alternative Shingles must; a. resemble the shingles used or authorized to be used on other structures within the Association; b.