



Section 1 - Sample Provision Excerpt (Public Preview)

m.
VOL2329 P60184
06-12484
CERTIFICATE OF ANNEXATION TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
BELMONT PARK SUBDIVISION

ISSUE #1

WHEREAS, by Declaration of Covenants, Conditions and Restrictions for the Belmont Park
Subdivision dated November 5, 2004, and recorded in Volume 2082, Pages 0183-0195, of the
Official Public Records of Real...

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Governing document bundle authorizes fines but lacks or fails to reference the mandatory recorded Enforcement Policy & Schedule of Fines required by Tex. Prop. Code § 209.0061 (HB 614).

Statutory / Legal Reference: Tex. Prop. Code § 209.0061 (HB 614)

Statutory Comparison: Effective January 1, 2024, HB 614 enacted Tex. Prop. Code § 209.0061, requiring every subdivision HOA with fining authority to adopt, record, and post/distribute an enforcement policy that enumerates each general category of restrictive covenants for which the association may assess a fine and a specific schedule of fines for each category.

CURRENT WORDING IN DOCUMENT:

m. VOL2329 P60184 06-12484 CERTIFICATE OF ANNEXATION TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS BELMONT PARK SUBDIVISION (Unit 6)
WHEREAS, by Declaration of Covenants, Conditions and Restrictions for the Belmont Park Subdivision dated November 5, 2004, and recorded in Volume 2082, Pages 0183-0195, of the Official Public Records of Real...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Adopt, record in the county real property records, and post on the Association website a compliant Fining & Enforcement Policy containing the schedule of fines by covenant category pursuant to Tex. Prop. Code § 209.0061 (HB 614).