

Section 1 - Sample Provision Excerpt (Public Preview)

Special Meeting 12/28/2020

The meeting was a quorum at 5:00PM with the following HOA Board members present via teleconference: Mark Greene, Wes Hargrove, Chris Loeper, Anne Ubertini and Sherri Hopson were in attendance along with Kim Clifford (MUD liaison to HOA Board).

HOA Board Officer Election

Wes Hargrove nominated Mark Greene for President. Anne Ubertini seconded the nomination. All

ISSUE #1 Board members approved unanimously.

Mark Greene nominated Anne Ubertini for Treasurer. Sherri Hopson seconded the nomination.

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:

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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).