Section 209.004 - Sample Provision Excerpt (Public Preview)

Working Capital Assessment: $1,300.00
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Transfer Fee: $295.00
Resale Certificate Fee: $375.00
Resale Certificate Update: No charge for 30 days, $75 for 180 days
Rush Fee: $100.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING — BOARD & COUNSEL REVIEW

Sec. 209.004 (p. 1): Resale certificate fee provision exceeds the SB 1588 statutory cap of $375 for a resale certificate (or $75 for an updated resale certificate) under Tex. Prop. Code § 207.003(c).

Statutory / Legal Reference: Tex. Prop. Code § 207.003(a), 207.003(c) & 207.004 (SB 1588)

Statutory Comparison: Under Tex. Prop. Code § 207.003(a) and (c) (as amended by SB 1588, effective September 1, 2021), a property owners' association must deliver a resale certificate not later than the 10th business day after receiving a written request, and may charge a reasonable and necessary fee not to exceed $375 for assembling, copying, and delivering the resale certificate and not to exceed $75 for preparing...

CURRENT WORDING IN DOCUMENT:
Working Capital Assessment: $1,300.00 4917-1297-4986v.2 52970-98 7/28/2026 2026084354 Page 2 of 4 Transfer Fee: $295.00 Resale Certificate Fee: $375.00 Resale Certificate Update: No charge for 30 days, $75 for 180 days Rush Fee: $100.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Pursuant to Tex. Prop. Code § 207.003(a) and (c) (as amended by SB 1588), the Association or its managing agent shall deliver a completed Resale Certificate within ten (10) business days after receipt of a written request, and the fee charged shall not exceed $375.00 for a Resale Certificate or $75.00 for an updated Resale Certificate.