



Section Clause #1 - Sample Provision Excerpt (Public Preview)

Braeburn Super Neighborhood Council #30

BY-LAWS

February 2, 2021

OUTLINE

I.

II.

ISSUE #1

IV.

V.

VI.

VII.

VIII.

IX.

X.

XI.

XII.

Name

Boundaries

Definitions

Purpose

Membership

Finance

Council Seats

Officers

Committees

Meetings

Roberts Rules of Order

Amendment of By-Laws

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: 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) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

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:

Braeburn Super Neighborhood Council #30 BY-LAWS February 2, 2021 OUTLINE I. II. III. IV. V. VI. VII. VIII. IX. X. XI. XII. Name Boundaries Definitions Purpose Membership Finance Council Seats Officers Committees Meetings Roberts Rules of Order Amendment of By-Laws

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: 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...