

Section 7.7 - Sample Provision Excerpt (Public Preview)

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ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 7.7 (p. 13): Clause authorizes nonjudicial power-of-sale foreclosure without first obtaining a mandatory Tex. R. Civ. P. 736 court order under Tex. Prop. Code § 209.0092.

Statutory / Legal Reference: Tex. Prop. Code § 209.009 & 209.0092

Statutory Comparison: Under Tex. Prop. Code § 209.009, a property owners' association may not foreclose a property owners' association assessment lien if the debt securing the lien consists solely of: (1) fines assessed by the association, (2) attorney's fees incurred by the association solely associated with fines assessed by the association, or (3) copy/recount charges under § 209.005(i) or § 209.0057(b-4).

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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