

Section 1 - Sample Provision Excerpt (Public Preview)

\$9.00
SIC
FIRST AMENDMEN IO
CONDOMINIUM DECLARAION
FOR
CAPISTRANO CONDOMINIUMS

ISSUE #1

STATE OF TEXAS
COUNTY OF BEXAR
KNOW ALL MEN
BY THESE PRESENTS:
WHEREAS, Ciudad de California, Inc., a Texas corporation, executed that certain Condominium Declaration for Capistrano Condominiuns, on July 13, 1982, hereinafter called "Declaration", which Declaration.

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Governing documents do not reference the mandatory county-recorded Management Certificate and electronic filing with the Texas Real Estate Commission (TREC) required under Tex. Prop. Code § 82.116 (SB 1588).

Statutory / Legal Reference: (SB 1588)

Statutory Comparison: Under Tex. Prop. Code § 82.116 (SB 1588) as amended by SB 1588, an association must record an updated Management Certificate in the county real property records and electronically file the certificate with the Texas Real Estate Commission (TREC at hoa.texas.gov) within 7 days of recording. Failure to maintain a compliant recorded and TREC-filed Management Certificate suspends the association's ability to recover attorney's fees, collection costs, or interest on delinquent assessments during the period of non-compliance.

CURRENT WORDING IN DOCUMENT:

\$9.00 SIC FIRST AMENDMEN IO CONDOMINIUM DECLARAION FOR CAPISTRANO CONDOMINIUMS STATE OF TEXAS COUNTY OF BEXAR KNOW ALL MEN BY THESE PRESENTS: WHEREAS, Ciudad de California, Inc., a Texas corporation, executed that certain Condominium Declaration for Capistrano Condominiuns, on July 13, 1982, hereinafter called "Declaration", which Declaration.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

The Board shall record an updated Management Certificate in the county real property records and electronically file the Management Certificate with the Texas Real Estate Commission (TREC) within seven (7) days of recording in accordance with Tex. Prop. Code § 82.116 (SB 1588).