

Section 1 - Sample Provision Excerpt (Public Preview)

Vil5646 P0773
MODIFICATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CARRIAGE HOUSE VILLAGE-PHASE I
KNOW ALL MEN BY THESE PRESENTS:
THE STATE OF TEXAS
COUNTY OF BELL
This Modification of Covenants, Conditions and Restrictions is made pursuant to Article
X of the Declaration of Covenants, Conditions and Restrictions for Carriage House Village-
Phase I, a...

ISSUE #1

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 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:

Vil5646 P0773 MODIFICATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CARRIAGE HOUSE VILLAGE-PHASE I KNOW ALL MEN BY THESE PRESENTS: THE STATE OF TEXAS COUNTY OF BELL This Modification of Covenants, Conditions and Restrictions is made pursuant to Article X of the Declaration of Covenants, Conditions and Restrictions for Carriage House Village- Phase I, a...

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...