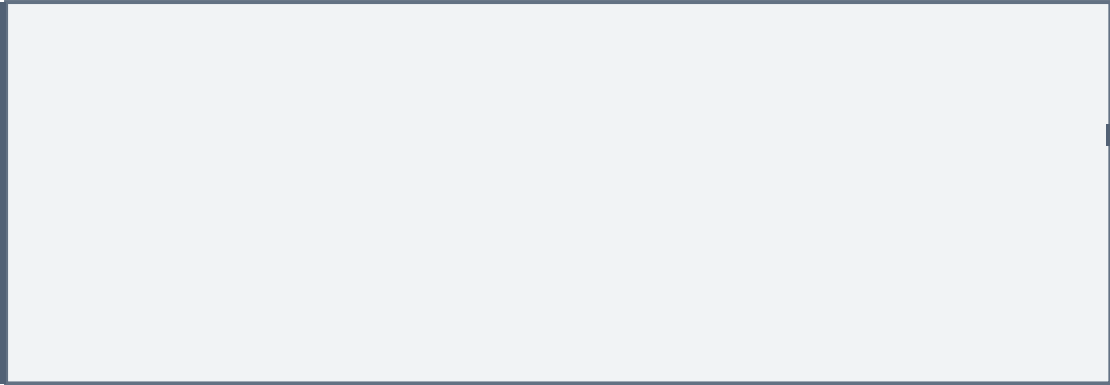




Section 7.15. - Sample Provision Excerpt (Public Preview)

Suspension of Use. If an owner's account has been delinquent for at least 30 days, the Association may suspend the right of the owner and residents of the owner's lot to use common areas and common services during the period of delinquency.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 7.15. (p. 43): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007

Statutory Comparison: Under Tex. Prop. Code § 209.006 and § 209.007, an association may not levy a fine or suspend an owner's right to use a common area unless it first gives written notice by certified mail describing the violation, providing a reasonable period to cure (if curable and not a repeat violation within 6 months), and stating that the owner may request a hearing before the Board on or before the 30th day...

CURRENT WORDING IN DOCUMENT:

Suspension of Use. If an owner's account has been delinquent for at least 30 days, the Association may suspend the right of the owner and residents of the owner's lot to use common areas and common services during the period of delinquency.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Suspension of Use. If an owner's account has been delinquent for at least 30 days, the Association may suspend the right of the owner and residents of the owner's lot to use common areas and common services during the period of delinquency.
[SAMPLE DISCUSSION WORDING - FOR TEXAS HOA COUNSEL REVIEW]: Before the Association levies a fine, suspends an Owner's right to use a common area, or files...