Section 9.6 - Sample Provision Excerpt (Public Preview)

TELEVISION & RADIO. Each resident of the Property will avoid doing or permitting anything to be done that may unreasonably interfere with the television, radio, telephonic, electronic, microwave, cable, or satellite reception on the Property.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 9.6 (p. 41): 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: Federal telecommunications policy under 47 C.F.R. § 97.15(b) (PRB-1) establishes a strong federal interest in promoting amateur radio emergency communications. Absolute covenant bans on FCC-licensed amateur radio operators without architectural review for stealth or minimally intrusive installations expose the association to federal preemption challenges and state statutory amateur-radio...

CURRENT WORDING IN DOCUMENT:

TELEVISION & RADIO. Each resident of the Property will avoid doing or permitting anything to be done that may unreasonably interfere with the television, radio, telephonic, electronic, microwave, cable, or satellite reception on the Property.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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