



Section 1. - Sample Provision Excerpt (Public Preview)

Powers. The Board of Directors shail have the following rights and powers:

- (a)
to suspend the voting rights of a Member during. the period said Member is in default in excess ofthirty (30N'days in the
navment of any maintenance charge assessment against said

ISSUE #1

Parcel;

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 1. (p. 13): Covenant suspending owner voting rights for delinquency or covenant violations is void under the Texas Property Code.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a) & § 209.00592

Statutory Comparison: Under Texas Property Code § 209.0059(a), a provision in a dedicatory instrument that would disqualify a property owner from voting in a property owners' association election of board members or on any matter concerning the rights or responsibilities of the owner is void.

CURRENT WORDING IN DOCUMENT:

Powers. The Board of Directors shail have the following rights and powers:
(a) to suspend the voting rights of a Member during. the period said Member is in default in excess ofthirty (30N'days in the payment of any maintenance charge assessment against said Member's Parcel;

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Tex. Prop. Code § 209.0059(a), no Owner may be disqualified from voting in an Association election or on any matter concerning the rights or responsibilities of the Owner for nonpayment of assessments or covenant violations.