

Section 1 - Sample Provision Excerpt (Public Preview)

Declarations-CC&Rs
Clayton Home Owners Association
JUL-13-2011 02:25P FROM:
TO: 7136342861
P: 1/21
1105574-915'

ISSUE #1

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
CLAYTON SECTIONS ONE AND TWO
STRICTLY U
CLAYTON DEVELOPMENT COMPANY, the owner of the
following described real property in Harris County, Texas
Lots 1 through 11, both inclusive, in Block 11
Lota
2a through 14, both inclusive, in block 3i
Lote i through
36,
both inclusive.
Block
Lota 1 through
J6, both inclusive.
In Block
LOCE
52,
4 90 In...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): 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).

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:

Declarations-CC&Rs Clayton Home Owners Association JUL-13-2011 02:25P FROM: TO: 7136342861 P: 1/21 1105574-915' 180-15-1523 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS CLAYTON SECTIONS ONE AND TWO STRICTLY U CLAYTON DEVELOPMENT COMPANY, the owner of the following described real property in Harris County, Texas Lots 1 through 11, both inclusive, in Block 11 Lota 2a through 14, both inclusive, in block 3i Lote i through 36, both inclusive. Block Lota 1 through J6, both inclusive. In Block LOCE 52, 4 90 In...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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 covenant category pursuant to Tex. Prop. Code § 209.0061 (HB 614).