

ISSUE #1

MARKUP #1 ->

Section 1: [Bylaws & Policies, Records Inspection Policy Section 4] Precondition of Good Standing and \$25/Hour Supe

Only Owners whose assessment accounts are current in full may submit a request to inspect Association books and records. Inspections shall be supervised by Association personnel at a mandatory labor charge of \$25.00 per hour, with copies charged at \$0.50 per page.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Unlawful Voting Suspension or "Good Standing" Disqualification: Clause strips member voting rights without statutory authority/due process or conditions records inspection/meeting notice on assessment "Good Standing" in violation of TX law.

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

Statutory Comparison: Under Tex. Prop. Code § 209.0059(a), associations may not strip member voting rights (prohibited outright in TX, CA, and NJ elections, and subject to strict statutory delinquency floors and prior written notice/hearing in FL, GA, and other states), and may never condition statutory records inspection or meeting notices on assessment "Good Standing."

CURRENT WORDING IN DOCUMENT:

[Bylaws & Policies, Records Inspection Policy Section 4] Precondition of Good Standing and \$25/Hour Supe Only Owners whose assessment accounts are current in full may submit a request to inspect Association books and records. Inspections shall be supervised by Association personnel at a mandatory labor charge of \$25.00 per hour, with copies charged at \$0.50 per page.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section 1 to preserve member voting rights, meeting notices, and records inspection rights in compliance with Tex. Prop. Code § 209.0059(a).