



Section 1. - Sample Provision Excerpt (Public Preview)

(b) The right of the Association to suspend the voting rights and right to use of the recreational facilities by an Owner for any period of time, or to amend, modify, alter, change, or repeal any provision of its published rules and regulations; and

(c) The right of the Association to dedicate or transfer may be ageea No Sy enc mengera, psovsaed, foncver, that no auch...

ISSUE #1



MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 1. (p. 3): 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:

(b) The right of the Association to suspend the voting rights and right to use of the recreational facilities by an Owner for any period of time, or to amend, modify, alter, change, or repeal any provision of its published rules and regulations; and

(c) The right of the Association to dedicate or transfer may be ageea No Sy enc mengera, psovsaed, foncver, that no auch...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

(b) The right of the Association to suspend the voting rights and right to use of the recreational facilities by an Owner for any period of time, or to amend, modify, alter, change, or repeal any provision of its published rules and regulations; and

(c) The right of the Association to dedicate or transfer may be ageea No Sy enc mengera, psovsaed, foncver, that no auch docation or transfer shall be effective...