Section DRY CREEK VILLAGE COMMUNITY ASSOCIATION DCCRE - Sample Provision Excerpt (Public Preview)

the right of the Association to suspend the voting rights of a Lot or Reserve Owner and the right of such an Owner to u
recreational facilities in the Subdivision, if any, for any period during which any assessment

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. DRY CREEK VILLAGE COMMUNITY ASSOCIATION DCCRE (p. 13): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007

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:

the right of the Association to suspend the voting rights of a Lot or Reserve Owner and the right of such an Owner to use the recreational facilities in the Subdivision, if any, for any period during which any assessment

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

the right of the Association to suspend the voting rights of a Lot or Reserve Owner and the right of such an Owner to use the recreational facilities in the Subdivision, if any, for any period during which any assessment [STATUTORY VOTING RIGHTS PROTECTION]: Pursuant to Tex. Prop.