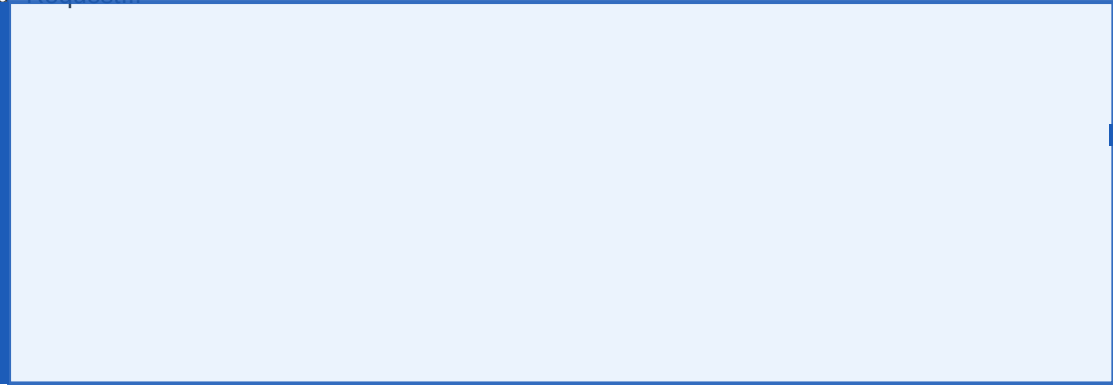


Section 1 - Sample Provision Excerpt (Public Preview)

WHEREAS, From time to time the Finance Plan and Project Plan may be updated or amended to reflect changes in the Zone, and
WHEREAS, The amended Finance and Development Plan approved by the Board of Directors on April 24, 2019 included construction and related expenses for Units 11, 12 and 13
BE IT ORDAINED BY THE BOARD OF DIRECTORS:
The attached "Request

ISSUE #1



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:

WHEREAS, From time to time the Finance Plan and Project Plan may be updated or amended to reflect changes in the Zone, and WHEREAS, The amended Finance and Development Plan approved by the Board of Directors on April 24, 2019 included construction and related expenses for Units 11, 12 and 13 BE IT ORDAINED BY THE BOARD OF DIRECTORS: The attached "Request...

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).