

Section 1 - Sample Provision Excerpt (Public Preview)

THE ESTATES OF WESTOVER HILLS SUBDIVISION
HOME IMPROVEMENT REQUEST FORM
Unit ____ Block ____ Lot ____
Return this form and any required attachments to:
Diamond Association Management & Consulting
14603 Huebner Road, Bldg

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:

THE ESTATES OF WESTOVER HILLS SUBDIVISION HOME IMPROVEMENT REQUEST FORM Unit ____ Block ____ Lot ____ Return this form and any required attachments to: Diamond Association Management & Consulting 14603 Huebner Road, Bldg.

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).