Section 1 - Sample Provision Excerpt (Public Preview)

ELECTRONICALLY RECORDED
Official Public Records
6/3/2019 3:29 PM
Ipura Piihaud
Laura Richard, County Clerk
Fort Bend County Texas

ISSUE #1

FOURTH SUPPLEMENTAL
NOTICE OF DEDICATORY INSTRUMENTS
FOR
FIELDSTONE COMMUNITY ASSOCIATION, INC.
STATE OF TEXAS
COUNTY OF FORT BEND
§
for Fieldstone Community Association, Inc." ("Notice") recorded in the Official...

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:
ELECTRONICALLY RECORDED Official Public Records 6/3/2019 3:29 PM Ipura Piihaud Laura Richard, County Clerk Fort Bend County Texas Fee: $21.00 FOURTH SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS FOR FIELDSTONE COMMUNITY ASSOCIATION, INC. STATE OF TEXAS COUNTY OF FORT BEND § for Fieldstone Community Association, Inc." ("Notice") recorded in the Official...

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).