

Section ARTICLES - Sample Provision Excerpt (Public Preview)

as wellu·a poliq' establishinQ·.a lChedtJie and Pfocedute\$·by Which the Board may assess fine\$ against Owners for violations of the Covenants or the Design Guidelines;
(10} · to establish and ·COLlect .r~ fees for the use of any ~eationat facifities ·()It the Cominon Area; and

(11)

ISSUE #1

nd collect a reasonable fee fer ~ng and furnishing copies of...

MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. ARTICLES (p. 25): 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 Tex. Prop. Code § 209.006 and § 209.007, an association may not levy a fine or suspend an owner's right to use a common area unless it first gives written notice by certified mail describing the violation, providing a reasonable period to cure (if curable and not a repeat violation within 6 months), and stating that the owner may request a hearing before the Board on or before the 30th day...

CURRENT WORDING IN DOCUMENT:
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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
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(11) to establish and collect a reasonable fee fer ~ng and furnishing copies of the AssociatiOn*s g()Veming ~...