

Thursday, May 18, 2023
County Clerk Harris County, Texas
Thursday, May 18, 2023
County Clerk Harris County, Texas
Thursday, May 18, 2023
County Clerk Harris County, Texas
SSUE #1 Thursday, May 18, 2023
County Clerk Harris County, Texas
Thursday, May 18, 2023
County Clerk Harris County, Texas
Thursday, May 18, 2023
County Clerk Harris County, Texas
Thursday, May 18,...

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:

Thursday, May 18, 2023 County Clerk Harris County, Texas Thursday, May 18, 2023 County Clerk Harris County, Texas Thursday, May 18, 2023 County Clerk Harris County, Texas Thursday, May 18, 2023 County Clerk Harris County, Texas Thursday, May 18, 2023 County Clerk Harris County, Texas Thursday, May 18,...

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).