

Section 6. - Sample Provision Excerpt (Public Preview)

(iii) No pets are allowed in the pool area; and  
(iv) The hours of use for the pool may be limited by the Board of Directors; In addition to the foregoing, the use of the pool area is further subject to the rights of the Association to limit the use of the Common Property in accordance with Article VI, Section 1, or ahi Dedlasad res ithons ad of Dirl dters mdy pauseal locumremt di y u re oudea for the Real Property Records of Harris County, Texas supplementing these use restrictions.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

**Sec. 6. (p. 8): Clause authorizes nonjudicial power-of-sale foreclosure without first obtaining a mandatory Tex. R. Civ. P. 736 court order under Tex. Prop. Code § 209.0092.**

**Statutory / Legal Reference: Tex. Prop. Code § 209.009 & 209.0092**  
Statutory Comparison: Under federal Fair Housing Act regulations (42 U.S.C. § 3604(f)(3)(B), 24 C.F.R. § 100.204, and HUD Notice FHEO-2020-01), associations cannot apply pet restrictions, breed bans, weight limits, or pet fees/deposits to an individual with a disability who requires a service animal or emotional support animal.

**CURRENT WORDING IN DOCUMENT:**  
(iii) No pets are allowed in the pool area; and  
(iv) The hours of use for the pool may be limited by the Board of Directors; In addition to the foregoing, the use of the pool area is further subject to the rights of the Association to limit the use of the Common Property in accordance with Article VI, Section 1, or ahi Dedlasad res ithons ad of Dirl dters mdy pauseal locumremt di y u re oudea for the Real Property Records of Harris County, Texas supplementing these use restrictions.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**  
(iii) No pets are allowed in the pool area; and  
(iv) The hours of use for the pool may be limited by the Board of Directors; In addition to the foregoing, the use of the pool area is further subject to the rights of the Association to limit the use of the Common Property in accordance with Article VI, Section 1, or ahi Dedlasad res ithons ad of Dirl dters mdy pauseal locumremt di y u re oudea for the Real Property Records of Harris County, Texas supplementing these use restrictions.