Section 1 - Sample Provision Excerpt (Public Preview)

ELECTRONICALLY RECORDED
Official Public Records
1/24/2025 10:47 AM
Laura Richard, County Clerk
Fort Bend County Texas
Pages:

ISSUE #1

Nada
GRAYSON WOODS HOMEOWNERS
ASSOCIATION, INC.
AFFIDAVIT IN COMPLIANCE WITH SECTION 202.006
OF THE TEXAS PROPERTY CODE
THE STATE OF TEXAS
COUNTY OF
FORT BEND
§
§
§
KNOW ALL PERSONS BY THESE PRESENTS:
BEFORE ME, the undersigned authority, on this day personally appeared Sarah B.

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION
BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Governing documents do not reference the mandatory county-recorded Management Certificate and electronic filing with the Texas Real Estate Commission (TREC) required under Tex. Prop. Code § 209.004 (SB 1588).

Statutory / Legal Reference: Tex. Prop. Code § 209.004 (SB 1588)

Statutory Comparison: Under Tex. Prop. Code § 209.004 (SB 1588) as amended by SB 1588, an association must record an updated Management Certificate in the county real property records and electronically file the certificate with the Texas Real Estate Commission (TREC at hoa.texas.gov) within 7 days of recording. Failure to maintain a compliant recorded and TREC-filed Management Certificate suspends the association's ability to recover attorney's fees, collection costs, or interest on delinquent assessments during the period of non-compliance.

CURRENT WORDING IN DOCUMENT:
ELECTRONICALLY RECORDED Official Public Records 1/24/2025 10:47 AM Laura Richard, County Clerk Fort Bend County Texas Pages: Fee: $ 43.00 Nada GRAYSON WOODS HOMEOWNERS ASSOCIATION, INC. AFFIDAVIT IN COMPLIANCE WITH SECTION 202.006 OF THE TEXAS PROPERTY CODE THE STATE OF TEXAS COUNTY OF FORT BEND § § § KNOW ALL PERSONS BY THESE PRESENTS: BEFORE ME, the undersigned authority, on this day personally appeared Sarah B.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
The Board shall record an updated Management Certificate in the county real property records and electronically file the Management Certificate with the Texas Real Estate Commission (TREC) within seven (7) days of recording in accordance with Tex. Prop. Code § 209.004 (SB 1588).