

Section di - Sample Provision Excerpt (Public Preview)

Suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association, as hereinbefore stated.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. di (p. 9): Clause prohibits or over-restricts solar energy devices in conflict with Tex. Prop. Code § 202.010.

Statutory / Legal Reference: Tex. Prop. Code § 202.010

Statutory Comparison: Under Texas Property Code § 209.0059(a), a provision in a dedicatory instrument that would disqualify a property owner from voting in a property owners' association election of board members or on any matter concerning the rights or responsibilities of the owner is void.

CURRENT WORDING IN DOCUMENT:

Suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association, as hereinbefore stated.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association, as hereinbefore stated. [STATUTORY SUSPENSION SAFE HARBOR]: Pursuant to Tex. Prop.