



Section 2.1 - Sample Provision Excerpt (Public Preview)

be a Member in good standing and eligible to vote, if such Member: Has, not less than seven (7) days prior to the taking of any vote by the A. Corporation, fully paid all Assessments or other charges levied by the Corporation against such Member's Lot and then due and payable, as such Assessments or charges are provided for in the Restrictions; 507874...

ISSUE #1



MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 2.1 (p. 9): Covenant suspending owner voting rights for delinquency or covenant violations is void under the Texas Property Code.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a) & § 209.00592

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:

be a Member in good standing and eligible to vote, if such Member: Has, not less than seven (7) days prior to the taking of any vote by the A. Corporation, fully paid all Assessments or other charges levied by the Corporation against such Member's Lot and then due and payable, as such Assessments or charges are provided for in the Restrictions; 507874...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

be a Member in good standing and eligible to vote, if such Member: Has, not less than seven (7) days prior to the taking of any vote by the A. Corporation, fully paid all Assessments or other charges levied by the Corporation against such Member's Lot and then due and payable, as such Assessments or charges are provided for in the Restrictions; 507874 000002 HOUSTON 587993.1 B. Does not have a...