

Section Clause #1 - Sample Provision Excerpt (Public Preview)

HILLTOP HOMEOWNERS' ASSOCIATION, INC.

UPDATED COLLECTION POLICY

For the purpose of complying with Section 202.006 and 209.0094 of the Texas Property Code and to provide public notice of the updates affecting the owners of property in Hilltop Estates. The Plat of Hilltop Estates was recorded on 7/14/1987, in Volume 87134, Page 3269, Map Records, Dallas County, Texas and Plat Correction filed 5/26/1992, recorded in Volume 92103, Page 3080,

ISSUE #1

s, Dallas County, Texas.

WHEREAS, the Board of Directors for...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. Clause #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:

HILLTOP HOMEOWNERS' ASSOCIATION, INC. UPDATED COLLECTION POLICY For the purpose of complying with Section 202.006 and 209.0094 of the Texas Property Code and to provide public notice of the updates affecting the owners of property in Hilltop Estates. The Plat of Hilltop Estates was recorded on 7/14/1987, in Volume 87134, Page 3269, Map Records, Dallas County, Texas and Plat Correction filed 5/26/1992, recorded in Volume 92103, Page 3080, Deed Records, Dallas County, Texas. WHEREAS, the Board of Directors for...

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).