

Section 1 - Sample Provision Excerpt (Public Preview)

TALLY FOR VOTE ON RESTATED DEED RESTRICTIONS

Proposition

/Paragraph

YES

NO

2/21/2026

ISSUE #1 Based on total votes cast

79 Passed by vote, reverted to original language due to legal challenge

141 votes cast / 59 yes to all/ 60 voted by proposition/22 disqualified(irregularities)

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 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:

TALLY FOR VOTE ON RESTATED DEED RESTRICTIONS Proposition /Paragraph YES NO 2/21/2026 Percentage Based on total votes cast 79 Passed by vote, reverted to original language due to legal challenge 141 votes cast / 59 yes to all/ 60 voted by proposition/22 disqualified(irregularities)

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).