

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

Doc# 20200103529 05/18/2020 4:56PM Page 1 of 2 Lucy Adame-Clark, Bexar County Clerk
Date:
Subdivision:
Property Owners Association:
Records Retention Policy
April 30, 2020

ISSUE #1 Kallison Ranch Arbor
Kallison Ranch Arbor Community, Inc., established
by the certificate of formation filed with the
secretary of state of Texas on April 2, 2018, under
file number...

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: Uploaded documents do not include recorded Alternative Payment Plan Policy (minimum 3-month to 18-month term) required for Texas associations with more than 14 lots under Tex. Prop. Code § 209.0062 - look for this language in other governing documents, standalone board policies/resolutions, Rules & Regulations, or amendments that were not included in this review (and confirm any applicable statutory threshold).

Statutory / Legal Reference: Tex. Prop. Code § 209.0062

Statutory Comparison: Under Tex. Prop. Code § 209.0062, a property owners' association composed of more than 14 lots must adopt and record reasonable guidelines to establish an alternative payment schedule by which an owner may make partial payments for delinquent regular or special assessments without accruing additional monetary penalties (with a minimum payment plan term of 3 months).

CURRENT WORDING IN DOCUMENT:

Doc# 20200103529 05/18/2020 4:56PM Page 1 of 2 Lucy Adame-Clark, Bexar County Clerk
Date: Subdivision: Property Owners Association: Records Retention Policy April 30, 2020
Kallison Ranch Arbor Kallison Ranch Arbor Community, Inc., established by the certificate of formation filed with the secretary of state of Texas on April 2, 2018, under file number...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: Adopt and record in the county real property records a statutory Alternative Payment Plan Policy providing a minimum three (3) month payment schedule in accordance...