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

Book 15877 Page 1556 3pgs
Doc# 20130000469
SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
LAKEVIEW RANCH SUBDIVISON
STATE OF TEXAS

ISSUE #1

MEN BY THESE PRESENTS:
COUNTY OF BEXAR
The Declaration of Covenants, Conditions and Restrictions for Lakevew Ranch Subdivision, executed August 1, 2008, and recorded at Volume 13624, Page...

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:
Book 15877 Page 1556 3pgs Doc# 20130000469 SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAKEVIEW RANCH SUBDIVISON STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS: COUNTY OF BEXAR The Declaration of Covenants, Conditions and Restrictions for Lakevew Ranch Subdivision, executed August 1, 2008, and recorded at Volume 13624, Page...

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).