

Section General - Sample Provision Excerpt (Public Preview)

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAPRELLE This Declaration of Covenants, Conditions and Restrictions for LaPrelle is made on the date hereinafier set forth by TPHMI DFW 4047, LLC, as the "Declarant". Declarant is the owner of the Property that is described below and known or to be known as "LaPrelle". Declarant desires to impose upon the Property mutually beneficial restrictions under a general plan of improvement for the benefit of the owners of each portion of the Property.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. General (p. 1): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007
Statutory Comparison: Under Tex. Prop. Code § 209.006 and § 209.007, an association may not levy a fine or suspend an owner's right to use a common area unless it first gives written notice by certified mail describing the violation, providing a reasonable period to cure (if curable and not a repeat violation within 6 months), and stating that the owner may request a hearing before the Board on or before the 30th day after the notice was mailed.

CURRENT WORDING IN DOCUMENT:
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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
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