



Section VI. - Sample Provision Excerpt (Public Preview)

Suspend the voting rights of a Member during any perlod In which such Member shall be in default in the payment of any Assassment levled by the Association. Such rights may also be suspanded arter notice and hearing for a perlod not to axceed sixty (60) days for infraction of published rulas and regulations.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

**Sec. VI. (p. 6): Covenant suspending owner voting rights for delinquency or covenant violations is void under the Texas Property Code.**

**Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a) & § 209.00592**

Statutory Comparison: Under Texas Property Code § 209.0059(a), a provision in a dedicatory instrument that would disqualify a property owner from voting in a property owners' association election of board members or on any matter concerning the rights or responsibilities of the owner is void.

**CURRENT WORDING IN DOCUMENT:**

Suspend the voting rights of a Member during any perlod In which such Member shall be in default in the payment of any Assassment levled by the Association. Such rights may also be suspanded arter notice and hearing for a perlod not to axceed sixty (60) days for infraction of published rulas and regulations.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

**Pursuant to Tex. Prop. Code § 209.0059(a), no Owner may be disqualified from voting in an Association election or on any matter concerning the rights or responsibilities of the Owner for nonpayment of assessments or covenant violations.**