Section 1 - Sample Provision Excerpt (Public Preview)

BYLAWS OF
LOWER GREENVILLE HOMEOWNERS ASSOCIATION, INC.
Purpose
As outlined herein, Lower Greenville Homeowners Association, Inc. exists for the purposes of facilitating connections among residents in the designated service area, serving as a liaison between residents and the City of Dallas and monitoring development in the region to advocate for and...

ISSUE #1

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:
BYLAWS OF LOWER GREENVILLE HOMEOWNERS ASSOCIATION, INC. Purpose As outlined herein, Lower Greenville Homeowners Association, Inc. exists for the purposes of facilitating connections among residents in the designated service area, serving as a liaison between residents and the City of Dallas and monitoring development in the region to advocate for and...

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).