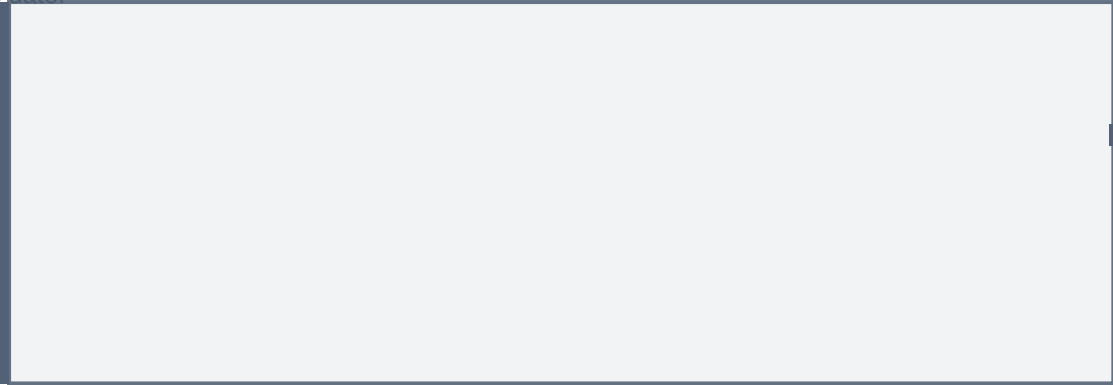


Section 14.02 - Sample Provision Excerpt (Public Preview)

in such request and at the 1ca mg. ma a ~ od faith effort to explain the grievance to the Board and resolve the dispute in n a ~icable t shi n. and shall gi\·e the Board a reasonable opportunity to address the 0\ · esid 1e\·· 1ce before filing suit. Upon receiYing a request for a notice o · 1e date

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

**Sec. 14.02 (p. 66): Declaration amendment provision requires 80% approval, which is overridden and capped at 67% of total allocated votes by Tex. Prop. Code § 209.0041(h-1).**

**Statutory / Legal Reference: Tex. Prop. Code § 209.0041(h)-(h-1)**

Statutory Comparison: Under Tex. Prop. Code § 209.0041(h) and (h-1), a residential subdivision declaration may be amended only by a vote of 67 percent of the total votes allocated to property owners in the property owners' association; if the declaration contains a lower percentage, that lower percentage controls, and if the declaration specifies a percentage higher than 67%, the statutory 67% ceiling overrides the...

**CURRENT WORDING IN DOCUMENT:**

in such request and at the 1ca mg. ma a ~ od faith effort to explain the grievance to the Board and resolve the dispute in n a ~icable t shi n. and shall gi\·e the Board a reasonable opportunity to address the 0\ · esid 1e\·· 1ce before filing suit. Upon receiYing a request for a notice o · 1e date.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**  
**Pursuant to Tex. Prop.**