

Section 1 - Sample Provision Excerpt (Public Preview)

Approved Roofing Colors
Memorial Forest Architectural Control Committee
SPECIFICATIONS
MAY 15 TH , 2022
The Deed Restrictions require approval of roofing materials as to type, quality, and color.
Provided are approved roofing colors from two manufactures of architectural shingles

Shingles from other manufacturers are acceptable, if they are similar to...

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:

Approved Roofing Colors Memorial Forest Architectural Control Committee SPECIFICATIONS MAY 15 TH , 2022 The Deed Restrictions require approval of roofing materials as to type, quality, and color. Provided are approved roofing colors from two manufactures of architectural shingles. Shingles from other manufacturers are acceptable, if they are similar to...

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).