

Section 1 - Sample Provision Excerpt (Public Preview)

Doc-19328
***** Electronically Recorded Document*****
Johnson County
Becky Ivey
Johnson County Clerk
Cleburne, TX
Document Number: 2019-19328
: ERX-CERTIFICATE
Recorded As
Recorded On: July 26, 2019
Recorded At: 08:16:59 am
Number of Pages:
Recording Fee:
\$146.00
Parties:
Direct-
Indirect-
Receipt Number:
Processed By:
Leslie Shuler
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I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named...

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:
Doc-19328 ***** Electronically Recorded Document***** Johnson County Becky Ivey Johnson County Clerk Cleburne, TX Document Number: 2019-19328 : ERX-CERTIFICATE Recorded As Recorded On: July 26, 2019 Recorded At: 08:16:59 am Number of Pages: Recording Fee: \$146.00 Parties: Direct- Indirect- Receipt Number: Processed By: Leslie Shuler ***THIS PAGE IS PART OF THE INSTRUMENT*** I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named...

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).