Section Clause #1 - Sample Provision Excerpt (Public Preview)

HOM,MOVIT
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MPY)78
x1344)4118 .r,r.
OFFICE OF THE SECRETARY OF STATE
CERTIFICATE OF INCORPORATION

ISSUE #1

MISSION BEND NORTH, SECTION THREE HOMEOWNERS' ASSOCIATION
The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Incorporation for the above corporation duly signed and %critics!...

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW — BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: 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) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

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:
HOM,MOVIT 1,4, if)v MPY)78 x1344)4118 .r,r. OFFICE OF THE SECRETARY OF STATE CERTIFICATE OF INCORPORATION OF MISSION BEND NORTH, SECTION THREE HOMEOWNERS' ASSOCIATION The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Incorporation for the above corporation duly signed and %critics!...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: 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...