

Section m - Sample Provision Excerpt (Public Preview)

private gardens, reserved parking spaces, satellite antennas, exterior windows and doors, installation of EV charging stations and the installation of hard surface flooring in kitchens, hallways, entryways, bathrooms, dining room and living rooms.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. m (p. 50): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007
Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:
private gardens, reserved parking spaces, satellite antennas, exterior windows and doors, installation of EV charging stations and the installation of hard surface flooring in kitchens, hallways, entryways, bathrooms, dining room and living rooms.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
private gardens, reserved parking spaces, satellite antennas, exterior windows and doors, installation of EV charging stations and the installation of hard surface flooring in kitchens, hallways, entryways, bathrooms, dining room and living rooms.