

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

Doc# 20190023265 02/11/2019 9:19AM Page 1 of 7 Lucy Adame-Clark, Bexar County Clerk
SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
MISSION TRACE HOMEOWNERS ASSOCIATION
THE STATE OF TEXAS
COUNTY OF BEXAR

ISSUE #1

undersigned, being the authorized representative of Mission Trace Homeowners Association (the "Association"), a property owner's association as defined in Section 202.001 of the Texas Property Code, hereby supplements the "Notice of Dedicatory Instruments for Mission Trace Homeowner Association",',...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. Clause #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:

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SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS for MISSION TRACE HOMEOWNERS ASSOCIATION THE STATE OF TEXAS COUNTY OF BEXAR The undersigned, being the authorized representative of Mission Trace Homeowners Association (the "Association"), a property owner's association as defined in Section 202.001 of the Texas Property Code, hereby supplements the "Notice of Dedicatory Instruments for Mission Trace Homeowners Association",',...

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).