Section 1 - Sample Provision Excerpt (Public Preview)

NORTH MISSION GLEN ESTATES HOMEOWNERS ASSOCIATION
DEED RESTRICTION ENFORCEMENT POLICY
PURPOSE
To adopt a policy which addresses the uniform enforcement of deed restrictions by North Mission Glen Estates Homeowners Association.
SCOPE

ISSUE #1

pplies to all members of the North Mission Glen Estates Homeowners Association, and all Lots which are subject to...

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:
NORTH MISSION GLEN ESTATES HOMEOWNERS ASSOCIATION DEED RESTRICTION ENFORCEMENT POLICY PURPOSE To adopt a policy which addresses the uniform enforcement of deed restrictions by North Mission Glen Estates Homeowners Association. SCOPE This policy applies to all members of the North Mission Glen Estates Homeowners Association, and all Lots which are subject 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).