

Section 4.11 - Sample Provision Excerpt (Public Preview)

Indemnification. The Association shall have the power to indemnify any director or officer or former director or officer of the Association for expenses and costs (including, without limitation, attorneys fees, judgments paid, or settlement amounts) actually and necessarily incurred by him in connection with any claim asserted against him by action in court...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 4.11 (p. 7): Board meeting clause permits unannounced board action on non-routine matters or provides less than the mandatory 144-hour (regular) / 72-hour (special) owner notice required by Tex. Prop. Code § 209.0051(e) & (h) (SB 1588).

Statutory / Legal Reference: Tex. Prop. Code § 209.0051(e) & (h) (SB 1588)

Statutory Comparison: Under Texas Property Code § 209.0059(a), a provision in a dedicatory instrument that would disqualify a property owner from voting in a property owners' association election of board members or on any matter concerning the rights or responsibilities of the owner is void.

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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