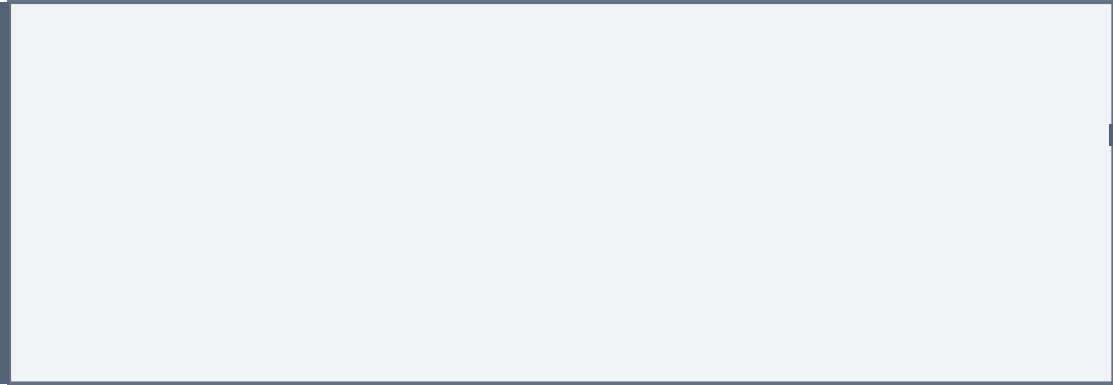


Section 7.4. - Sample Provision Excerpt (Public Preview)

Compensation. No director shall receive compensation for any service he may render to the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 7.5. Action Taken Without a Meeting.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 7.4. (p. 7): Provision authorizes holding regular Board of Directors meetings "without notice" or taking Board action by written consent outside a noticed open meeting, conflicting with Tex. Prop. Code §§ 209.005, 82.1141 & 1 TAC § 70.3 (Open Records Cost Schedule).

Statutory / Legal Reference: Tex. Prop. Code Ch. 209 (Texas Residential Property Owners Protection Act) & 22 TAC § 535.401 (TREC Management Certificate Rules); Tex. Prop. Code § 209.005 & 1 TAC § 70.3 (Open Records Cost Schedule)

Statutory Comparison: Under Tex. Prop. Code §§ 209.005, 82.1141 & 1 TAC § 70.3 (Open Records Cost Schedule) and Tex. Prop. Code Ch. 209 (Texas Residential Property Owners Protection Act) & 22 TAC § 535.401 (TREC Management Certificate Rules), all meetings of the Board of Directors at which a quorum gathers to conduct association business must be open to all members with advance notice posted or delivered to owners,...

CURRENT WORDING IN DOCUMENT:

Compensation. No director shall receive compensation for any service he may render to the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties. Section 7.5. Action Taken Without a Meeting.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Require all regular and special Board meetings to be open to all members with advance notice and agenda posting in accordance with Tex. Prop. Code §§ 209.005, 82.1141 & 1 TAC § 70.3 (Open Records Cost Schedule), and restrict action without a meeting to narrow emergency circumstances permitted by Tex. Prop. Code Ch.