

Section 1 - Sample Provision Excerpt (Public Preview)

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AFTER RECORDING RETURN TO:

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DECLARATION OF COVENANTS, CONDITIONS

AND RESTRICTIONS FOR

PRAIRIE CREEK NORTH

[DALLAS COUNTY, TEXAS]

Declarant:

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., a...

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:

2025 - 202500103203 05/19/2025 12:50 PM Page 1 of 79 AFTER RECORDING RETURN TO: KRISTI E. STOTTS, ESQ. WINSTEAD PC 600 W. 5TH STREET, SUITE 900 AUSTIN, TEXAS 78701 EMAIL: KSTOTTTS@WINSTEAD.COM DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PRAIRIE CREEK NORTH [DALLAS COUNTY, TEXAS] Declarant: LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., a...

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).