

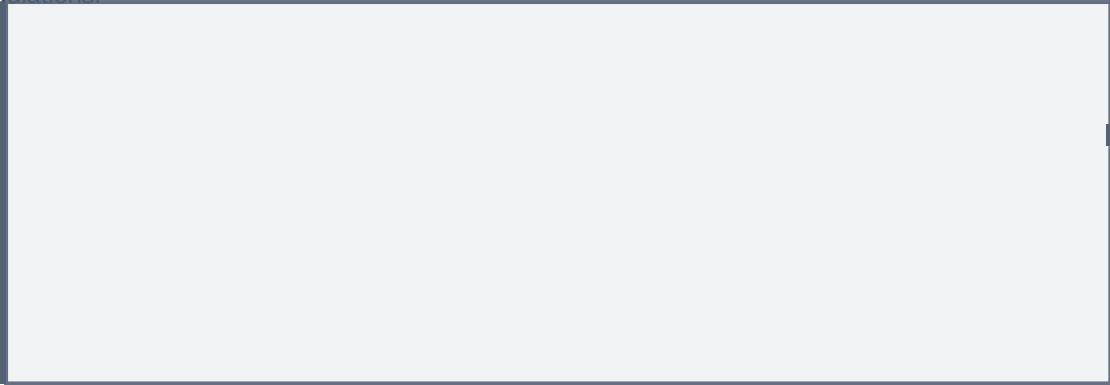
Section I. - Sample Provision Excerpt (Public Preview)

"ARC" means the Architectural Review Committee established for the Property as set forth in Article IX, Section A.

B.

"Assessment" means the assessments levied against all Lots for the purposes set out in Article XIV or any other charge authorized by this Declaration, the Bylaws, or rules and regulations.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. I. (p. 6): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007

Statutory Comparison: Under Tex. Prop. Code § 209.006 and § 209.007, an association may not levy a fine or suspend an owner's right to use a common area unless it first gives written notice by certified mail describing the violation, providing a reasonable period to cure (if curable and not a repeat violation within 6 months), and stating that the owner may request a hearing before the Board on or before the 30th day...

CURRENT WORDING IN DOCUMENT:

"ARC" means the Architectural Review Committee established for the Property as set forth in Article IX, Section A. B. "Assessment" means the assessments levied against all Lots for the purposes set out in Article XIV or any other charge authorized by this Declaration, the Bylaws, or rules and regulations.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

"ARC" means the Architectural Review Committee established for the Property as set forth in Article IX, Section A. B. "Assessment" means the assessments levied against all Lots for the purposes set out in Article XIV or any other charge authorized by this Declaration, the Bylaws, or rules and regulations.