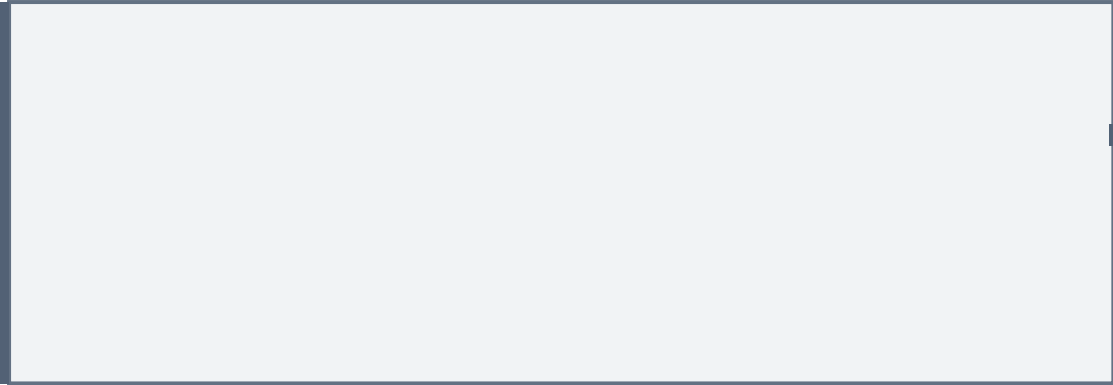


Section COVENANT ENFORCEMENT AND FINE POLICY - Sample Provision Excerpt (Public Preview)

Suspension of Voting Rights. The Association may suspend the voting rights of an owner whose account with the Association is delinquent for at least 30 days. Suspension of Common Area/Use Privileges. The Association may suspend the owner's right to use the recreational facilities/amenities within the common areas and/or suspend any other services provided...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. COVENANT ENFORCEMENT AND FINE POLICY (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 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:
Suspension of Voting Rights. The Association may suspend the voting rights of an owner whose account with the Association is delinquent for at least 30 days. Suspension of Common Area/Use Privileges. The Association may suspend the owner's right to use the recreational facilities/amenities within the common areas and/or suspend any other services provided...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Suspension of Voting Rights. The Association may suspend the voting rights of an owner whose account with the Association is delinquent for at least 30 days.
Suspension of Common Area/Use Privileges. The Association may suspend the owner's right to use the recreational facilities/amenities within the common areas and/or suspend any other services provided by the Association if said owner's...