

Section 1 - Sample Provision Excerpt (Public Preview)

32 numes
L71-1-2811077200-1
AMENDMENT TO
RESTRICTIONS FOR RIVER PLANTATION SECTION TWO
STATE OF TEXAS
COUNTY OF MONTGOMERY

ISSUE #1

the Restrictions for River Plantation, Section Two, an addition in
Montgomery County, Texas, according to the map or plat thereof recorded under Volume 7,
Page 409, of the Map Records of Montgomery County, Texas, (the...

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:

32 numes L71-1-2811077200-1 AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO STATE OF TEXAS COUNTY OF MONTGOMERY WHEREAS, the Restrictions for River Plantation, Section Two, an addition in Montgomery County, Texas, according to the map or plat thereof recorded under Volume 7, Page 409, of the Map Records of Montgomery County, Texas, (the...

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).