

Section 1 - Sample Provision Excerpt (Public Preview)

ATIACHMENT3

N.B. Riverforest Homeowners Association. Inc.

SOLAR DEVICE POLICY

ENERGY EFFIOENT ROOFING POLICY

Terms used but not defined in this policy will have the meaning subscribed to such terms in that certain Riverforest Subdivision Covenants, Conditions and Restrictions, recorded under Document

ISSUE #1 202952, Scrivener's Affidavit, recorded under Document No. 200006001968, Scrivener's Affidavit, recorded under Document No.

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:

ATIACHMENT3 N.B. Riverforest Homeowners Association. Inc. SOLAR DEVICE POLICY ENERGY EFFIOENT ROOFING POLICY Terms used but not defined in this policy will have the meaning subscribed to such terms in that certain Riverforest Subdivision Covenants, Conditions and Restrictions, recorded under Document No. 200206002952, Scrivener's Affidavit, recorded under Document No. 200006001968, Scrivener's Affidavit, recorded under Document No.

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).