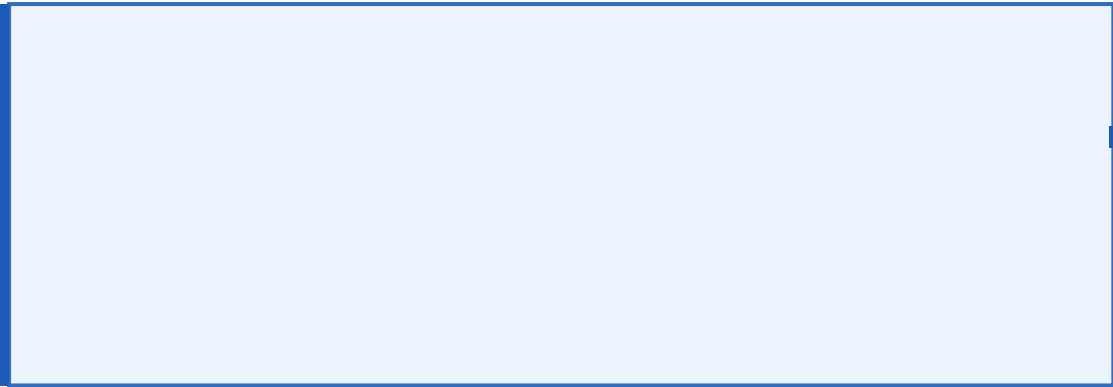


Section 6.7 - Sample Provision Excerpt (Public Preview)

location as approved by the Committee. The Committee may require as much screening as possible while not substantially interfering with reception. No satellite dishes shall be permitted which are larger than twenty-four inches (24") in diameter.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 6.7 (p. 16): Potential Issue for Review: Fining or enforcement clause grants authority to levy fines or penalties without spelling out the statutory notice, cure, fine schedule, and hearing procedures under Tex. Prop. Code § 209.006, § 209.0061 & § 209.007 - look for this language in other governing documents (such as a standalone Fining/Enforcement Policy, Rules & Regulations, Bylaws, or amendments) that were not included in this review.

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:
location as approved by the Committee. The Committee may require as much screening as possible while not substantially interfering with reception. No satellite dishes shall be permitted which are larger than twenty-four inches (24") in diameter.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Look for the required notice, cure, fine schedule, and hearing language in other governing documents not included in this review. If not already set forth in another document, incorporate: Uses Specifically Prohibited. A. No temporary dwelling, shop, trailer or mobile home or any kind or any improvement of a temporary character shall be permitted on any Lot except that a Builder or contractor may...