



Section Clause #1 - Sample Provision Excerpt (Public Preview)

FILED
In the Office of the
Secretary of State of Texas
05 1987
Corporations Section
ARTICLES OF INCORPORATION

ISSUE #1

SHAVANO CREEK HOMEOWNERS ASSOCIATION
we, the undersigned, natural persons of the age of eighteen
(18) years or more, at least two of whom are citizens of the State
of Texas, acting as incorporators of a corporation under the Texas
Non-Profit...

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: 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) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

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:

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ARTICLES OF INCORPORATION OF SHAVANO CREEK HOMEOWNERS ASSOCIATION
we, the undersigned, natural persons of the age of eighteen
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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: 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...