Section 1 - Sample Provision Excerpt (Public Preview)

VG-7-2025-20250027837
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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:
VG-7-2025-20250027837 File Information FILED IN THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY LUCY ADAME-CLARK, BEXAR COUNTY CLERK Document Number: 20250027837 Recorded Date: Recorded Time: Total Pages: Total Fees: February 18, 2025 9:57 AM $37.00 ** THIS PAGE IS PART OF THE DOCUMENT ** ** Do Not Remove** Any provision herein which restricts the sale or use...

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).