

Section PROXIES - Sample Provision Excerpt (Public Preview)

which has progressed to the stage of a written notice of a hearing to be held by the Board, its designated committee, or beyond, and which remains unresolved as of the date of determination of the Member's standing, (c) a Member who has fully paid all fines and all other charges levied

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. PROXIES (p. 5): Board meeting clause provides less than the mandatory 144-hour (regular) / 72-hour (special) owner notice or permits secret/unnoticed board votes on fines, assessments, or budget adoption in violation of Tex. Prop. Code § 209.0051(e)-(h).

Statutory / Legal Reference: Tex. Prop. Code § 209.0051(e)-(h) (SB 1588)
Statutory Comparison: Under Tex. Prop. Code § 209.0051(e) (as amended by SB 1588), all regular and special board meetings must be open to owners, and notice of the date, hour, place, and general subject of the meeting must be posted (including on any association website) and emailed to each registered owner at least 144 hours (6 days) before a regular board meeting and at least 72 hours (3 days) before a special board meeting.

CURRENT WORDING IN DOCUMENT:
which has progressed to the stage of a written notice of a hearing to be held by the Board, its designated committee, or beyond, and which remains unresolved as of the date of determination of the Member's standing, (c) a Member who has fully paid all fines and all other charges levied

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
which has progressed to the stage of a written notice of a hearing to be held by the Board, its designated committee, or beyond, and which remains unresolved as of the date of determination of the Member's standing, (c) a Member who has fully paid all fines and all other charges levied [SAMPLE DISCUSSION WORDING - FOR TEXAS HOA COUNSEL REVIEW]: Pursuant to Tex. Prop. Code § 209.0051(e)-(h) (SB 1588), all regular and special Board meetings shall be open to Owners, with notice of the date, hour, place, and agenda posted and emailed to Owners at least 144 hours before a regular Board meeting and at least 72 hours...