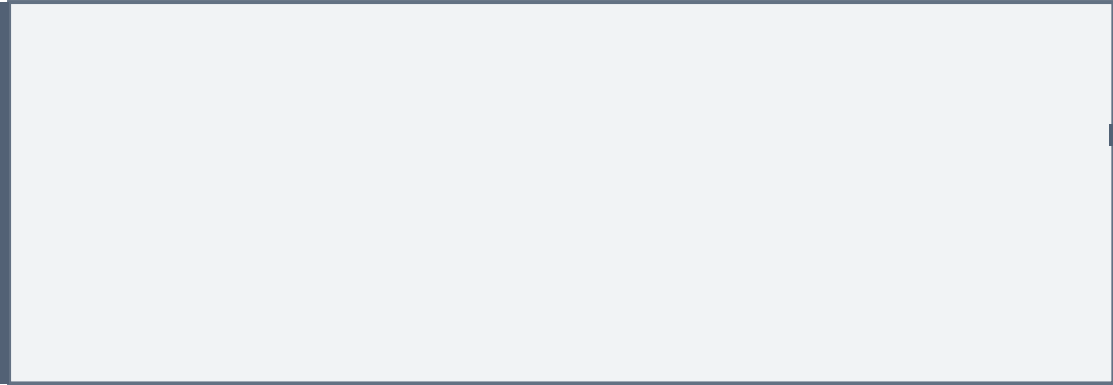


Section II - Sample Provision Excerpt (Public Preview)

"ARC" and "Architectural Review Committee" means the Architectural Review Committee of the 3. "Association" means SOUTH POINTE HOMEOWNERS' ASSOCIATION, a Texas nonprofit property owners' association, its successors, assigns, and replacements as provided in this Declaration, which has jurisdiction over all Properties located within the land encumbered or to be encumbered under this Declaration, as administering and enforcing the Declaration and any amended or supplemental declaration.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. II (p. 2): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

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 after the notice was mailed.

**CURRENT WORDING IN DOCUMENT:**  
"ARC" and "Architectural Review Committee" means the Architectural Review Committee of the 3. "Association" means SOUTH POINTE HOMEOWNERS' ASSOCIATION, a Texas nonprofit property owners' association, its successors, assigns, and replacements as provided in this Declaration, which has jurisdiction over all Properties located within the land encumbered or to be encumbered under this Declaration, as administering and enforcing the Declaration and any amended or supplemental declaration.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**  
"ARC" and "Architectural Review Committee" means the Architectural Review Committee of the 3. "Association" means SOUTH POINTE HOMEOWNERS' ASSOCIATION, a Texas nonprofit property owners' association, its successors, assigns, and replacements as provided in this Declaration, which has jurisdiction over all Properties located within the land encumbered or to be encumbered under this Declaration, as administering and enforcing the Declaration and any amended or supplemental declaration.