



Section 1: [Master Bylaws Article III, Section 3.06] Disqualification of Delinquent Owners from Voting

Only Members in 'Good Standing' shall be entitled to vote at any Annual or Special Meeting of the Members or in any election of Directors. Any Member who is delinquent in the payment of any assessment or fine, or who has an unresolved deed restriction violation on the record date, shall have their voting rights suspended until cured.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. vi (p. 1): Covenant suspending owner voting rights for delinquency or covenant violations is void under the Texas Property Code.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a) & § 209.00592

Statutory Comparison: Under Texas Property Code § 209.0059(a), a provision in a dedicatory instrument that would disqualify a property owner from voting in a property owners' association election of board members or on any matter concerning the rights or responsibilities of the owner is void.

CURRENT WORDING IN DOCUMENT:

olation on the record date, shall have their voting rights suspended until cured.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Tex. Prop. Code § 209.0059(a), no Owner may be disqualified from voting in an Association election or on any matter concerning the rights or responsibilities of the Owner for nonpayment of assessments or covenant violations.