

Section 3.01 - Sample Provision Excerpt (Public Preview)

Antennas. No antennas shall be permitted in the Addition except AM and FM radio reception, and UHF and VHF television reception antennas. Said antennas shall be located in such a manner so as to be not visible from the street(s) adjacent to the house. Satellite dish T.V.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 3.01 (p. 3): Governance clause suspends owner voting rights or imposes non-statutory disqualifications on running for the Board of Directors, which are void under Tex. Prop. Code § 209.0059 and § 209.00591.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059, § 209.00591 & § 209.00592
Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:
Antennas. No antennas shall be permitted in the Addition except AM and FM radio reception, and UHF and VHF television reception antennas. Said antennas shall be located in such a manner so as to be not visible from the street(s) adjacent to the house. Satellite dish T.V.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
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