

Section 1 - Sample Provision Excerpt (Public Preview)

20120204061

05/09/2012 ER \$28.00

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PRESIDENT'S CERTIFICATE

I, Marv Fernihough, President of the Terraces on Memorial Townhome Association,

ISSUE #1

non-profit corporation (the "Association"), hereby certify that the attached document is an original or true and.

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:

20120204061 05/09/2012 ER \$28.00 AFFT C PRESIDENT'S CERTIFICATE I, Mary Fernihough, President of the Terraces on Memorial Townhome Association, Inc" a Texas non-profit corporation (the "Association"), hereby certify that the attached document is an original or true and.

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).