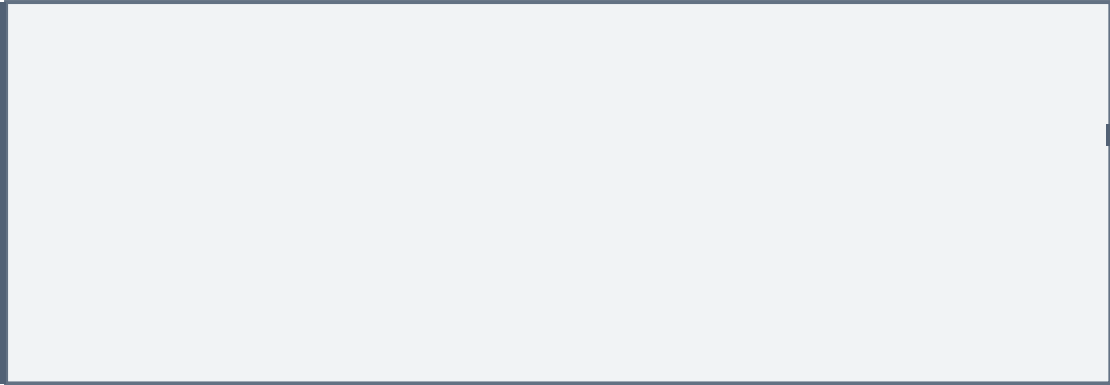




Section 3.7 - Sample Provision Excerpt (Public Preview)

(b) the right of the Association to suspend the voting rights and right to the use of the recreational facilities or any other amenity by an owner or occupant of a lot for any period during which any assessment against such owner's lot remains unpaid, and for a period not to exceed sixty

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 3.7 (p. 3): 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 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:

(b) the right of the Association to suspend the voting rights and right to the use of the recreational facilities or any other amenity by an owner or occupant of a lot for any period during which any assessment against such owner's lot remains unpaid, and for a period not to exceed sixty

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

(b) the right of the Association to suspend the voting rights and right to the use of the recreational facilities or any other amenity by an owner or occupant of a lot for any period during which any assessment against such owner's lot remains unpaid, and for a period not to exceed sixty [STATUTORY VOTING RIGHTS PROTECTION]: Pursuant to Tex. Prop.