

Section Clause #1 - Sample Provision Excerpt (Public Preview)

.T3Z0465
521-62-1774
AMENDMENT TO DECLARATION OF COVENANTS. CONDITIONS
AND RESTRICTIONS OF THORNWOOD, SECTION IV
STATE OF TEXAS
COUNTY OF HARRIS

ISSUE #1

§
§
10/12/98 300232983 T320465
\$40.50
KNOW ALL MEN BY THESE PRESENTS:
WHEREAS, Mac-Carey Properties, Inc., a Texas corporation, as Declarant and Owner
(hereinafter referred to as "Declarant"), caused certain...

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: 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) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

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:

.T3Z0465 521-62-1774 AMENDMENT TO DECLARATION OF COVENANTS. CONDITIONS AND RESTRICTIONS OF THORNWOOD, SECTION IV STATE OF TEXAS COUNTY OF HARRIS § § 10/12/98 300232983 T320465 \$40.50 KNOW ALL MEN BY THESE PRESENTS: WHEREAS, Mac-Carey Properties, Inc., a Texas corporation, as Declarant and Owner (hereinafter referred to as "Declarant"), caused certain...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: 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...