Section d - Sample Provision Excerpt (Public Preview)

Architectural Control Committee, as applicable. Limited common elements yards will be initially maintained by the Association as a common expense. Any cost incurred by the Association due to any landscape upgrades by a unit owner to the LCE rear or side yards may, at the board's option, be added to.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. d (p. 9): Condominium fining clause omits the mandatory written notice and 30-day hearing request period required by Tex. Prop. Code § 82.102(d).

Statutory / Legal Reference: Tex. Prop. Code § 82.102(d)-(e) & § 82.113(e)

Statutory Comparison: Under the Texas Uniform Condominium Act, Tex. Prop. Code § 82.102(d) requires that before a condominium board levies a fine or damage charge, the board must give the unit owner written notice describing the violation or damage, stating the amount of the proposed fine or charge, and advising that not later than the 30th day after the date of the notice the unit owner may request a hearing before...

CURRENT WORDING IN DOCUMENT:
Architectural Control Committee, as applicable. Limited common elements yards will be initially maintained by the Association as a common expense. Any cost incurred by the Association due to any landscape upgrades by a unit owner to the LCE rear or side yards may, at the board's option, be added to.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Pursuant to Tex. Prop.