Section 1 - Sample Provision Excerpt (Public Preview)

Denton County
Juli Luke
County Clerk
Instrument Number: 34379
ERecordings-RP
AMENDMENT

ISSUE #1

: March 28, 2018 11:58 AM
Number of Pages: 21
"Examined and Charged as Follows: "
Total Recording: $106.00
********** THIS PAGE IS PART OF THE INSTRUMENT **********
ny provision herein which restricts the Sale, Rental or use of the described REAL...

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:
Denton County Juli Luke County Clerk Instrument Number: 34379 ERecordings-RP AMENDMENT Recorded On: March 28, 2018 11:58 AM Number of Pages: 21 "Examined and Charged as Follows: " Total Recording: $106.00 ********** THIS PAGE IS PART OF THE INSTRUMENT ********** ny provision herein which restricts the Sale, Rental or use of the described REAL...

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).