

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

Declaration and Petition
For the Creation of Restrictions
The State of Texas
County of Harris
This Declaration and Petition of Restrictions. herein referred to as "this Declaration," is
adopted pursuant to Chapter 201 of the Texas Property Code by and between the
ISSUE #1 owners of certain real properties situated within the boundaries of Vermont
Commons...

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Potential Issue for Review: Uploaded documents do not include recorded Alternative Payment Plan Policy (minimum 3-month to 18-month term) required for Texas associations with more than 14 lots under Tex. Prop. Code § 209.0062 - look for this language in other governing documents, standalone board policies/resolutions, Rules & Regulations, or amendments that were not included in this review (and confirm any applicable statutory threshold).

Statutory / Legal Reference: Tex. Prop. Code § 209.0062

Statutory Comparison: Under Tex. Prop. Code § 209.0062, a property owners' association composed of more than 14 lots must adopt and record reasonable guidelines to establish an alternative payment schedule by which an owner may make partial payments for delinquent regular or special assessments without accruing additional monetary penalties (with a minimum payment plan term of 3 months).

CURRENT WORDING IN DOCUMENT:

Declaration and Petition For the Creation of Restrictions The State of Texas County of Harris
This Declaration and Petition of Restrictions. herein referred to as "this Declaration," is
adopted pursuant to Chapter 201 of the Texas Property Code by and between the
undersigned owners of certain real properties situated within the boundaries of Vermont
Commons...

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 and record in the county real property records a statutory Alternative Payment Plan Policy providing a minimum three (3) month payment schedule in accordance...**