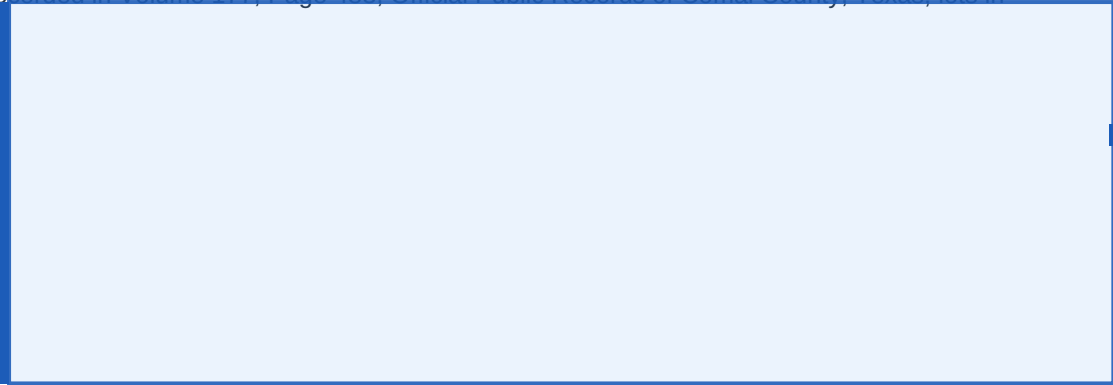


Section Clause #1 - Sample Provision Excerpt (Public Preview)

201606045979 12/06/2016 08:47:41 AM 1/2
VILLAGE SHORES PROPERTY OWNER'S ASSOCIATION
AMENDMENT TO THE RESTRICTIONS OF
VILLAGE SHORES UNIT NOS. ONE, TWO AND THREE
WHEREAS, lots in Unit No. One of the Village Shores subdivision are subject to restrictive
covenants recorded in Volume 177, Page 483, Official Public Records of Comal County, Texas; lots in

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. Clause #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:

201606045979 12/06/2016 08:47:41 AM 1/2 VILLAGE SHORES PROPERTY OWNER'S ASSOCIATION AMENDMENT TO THE RESTRICTIONS OF VILLAGE SHORES UNIT NOS. ONE, TWO AND THREE WHEREAS, lots in Unit No. One of the Village Shores subdivision are subject to restrictive covenants recorded in Volume 177, Page 483, Official Public Records of Comal County, Texas; lots in Unit...

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).