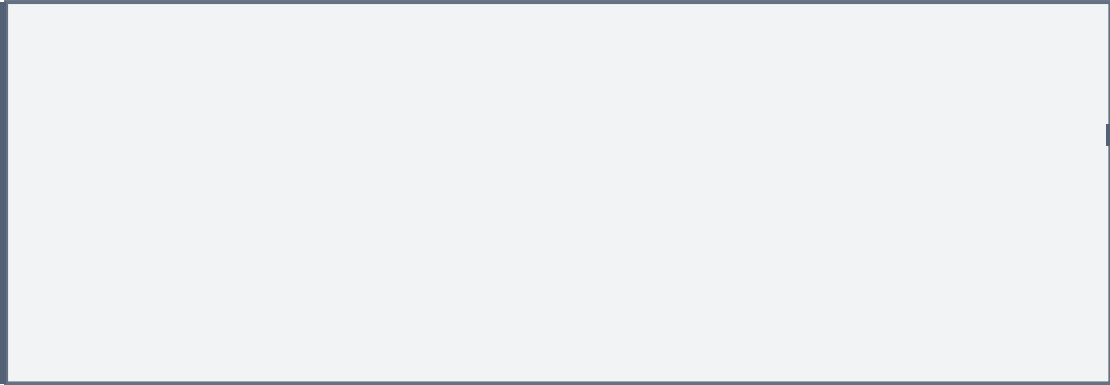




Section 2.05 - Sample Provision Excerpt (Public Preview)

Except with the written permission o the Committee, no antennas, discs or other equipment for receiving or sending so
or video messages shall be permitted on this Property., except antennas for AM or FM radio reception and UHF and VHF
television reception.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 2.05 (p. 4): Governance clause suspends owner voting rights or imposes non-statutory disqualifications on running for the Board of Directors, which are void under Tex. Prop. Code § 209.0059 and § 209.00591.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059, § 209.00591 & § 209.00592
Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:

Except with the written permission o the Committee, no antennas, discs or other equipment for receiving or sending sound or video messages shall be permitted on this Property., except antennas for AM or FM radio reception and UHF and VHF television reception.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Uses Specifically Prohibited.

(a) No temporary dwelling, tent, shack, barn, shop, trailer or mobile, modular or prefabricated home of any kind or any improvement of a temporary character (except children's playhouses, dog houses, greenhouses, gazebos and buildings for storage of lawn maintenance equipment, which may be placed on a Lot only in places which are not visible from any street and...