

Section 1 - Sample Provision Excerpt (Public Preview)

tinsoaakari =
DEED OF TRIST
THE STATE OF TEXAS
, COUNTY OF HARRIS
E, MORIGACE RECORDS
v7177 r.r173

ISSUE #1

Know All Men by These Presents: That D120649*
JUN-8-70 454813 D 120649 LST B PD
WESTCHESTER CLUB, INC.
of the County of
Harris
and State of
Texas
(hereinafter called "GRANTORS", whether
une or more), in consideration of the debt, purposes and trust hereinafter...

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Potential Issue for Review: 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) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

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:

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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, record in the county real property records, and post on the Association website a compliant Fining & Enforcement Policy containing the schedule of fines by...