

Section i - Sample Provision Excerpt (Public Preview)

are allowed. Television antennas must have approval from the Board. Plans and Specifications for any alterations as outlined in the Bylaws must be submitted to the Board in writing for approval. The Association is responsible for the exterior maintenance of the Commons areas.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. i (p. 2): Enforcement/fining provision omits mandatory Texas Property Code § 209.006 certified mail notice, 30-day Board hearing request window, or HB 614 recorded fine schedule requirements.

Statutory / Legal Reference: Tex. Prop. Code § 209.006, § 209.0061 & § 209.007
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:
are allowed. Television antennas must have approval from the Board. Plans and Specifications for any alterations as outlined in the Bylaws must be submitted to the Board in writing for approval. The Association is responsible for the exterior maintenance of the Commons areas.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
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