MARKED-UP PAGE 1: 1 COMPLIANCE ISSUE (#1) - SEE REDLINE COMMENTS AT RIGHT ->

Section 3.2 - Sample Provision Excerpt (Public Preview)

ANTENNAS AND SIGNALS . the transmission or No exterior antenna or other reception of any form of electromagneti radiation shall be erected, used or maintained on any Lot unless approved by the Committee in writing. No radio signals, television signals or any other from of electromagnetic radiation shall originate from any Lot which may unreasonably...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE — BOARD & COUNSEL REVIEW

Sec. 3.2 (p. 17): Covenant suspending owner voting rights for delinquency or covenant violations is void under the Texas Property Code.

Statutory / Legal Reference: Tex. Prop. Code § 209.0059(a) & § 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:

ANTENNAS AND SIGNALS . the transmission or No exterior antenna or other reception of any form of electromagnetic radiation shall be erected, used or maintained on any Lot unless approved by the Committee in writing. No radio signals, television signals or any other from of electromagnetic radiation shall originate from any Lot which may unreasonably...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

ANTENNAS AND SIGNALS . the transmission or No exterior antenna or other reception of any form of electromagnetic radiation shall be erected, used or maintained on any Lot unless approved by the Committee in writing. No radio signals, television signals or any other from of electromagnetic radiation shall originate from any Lot which may unreasonably interfere with the reception of television or...