Section 1 - Sample Provision Excerpt (Public Preview)

VOi 646 PALE 560
WOODIAKE UNIT 3"
TO
THE PUBLIC
WOODLAKE Unit 3
DEED RESTRICTIONS

ISSUE #1

n the Map Record
f Guadalupe County, Texas
THE STATE OF TEXAS
COUNTY O GUADALUPE i
WOODLAKE PROPERTIES, a Joint Venture, hereinafter called "Declarant"
is the owner n fee simple of certain real property located in Guadalupe
County, Tex s, and known by official...

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION
BOARD & COUNSEL REVIEW

Sec. 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:
VOi 646 PALE 560 WOODIAKE UNIT 3" TO THE PUBLIC WOODLAKE Unit 3 DEED RESTRICTIONS As recorded in the Map Record f Guadalupe County, Texas THE STATE OF TEXAS COUNTY OF GUADALUPE i WOODLAKE PROPERTIES, a Joint Venture, hereinafter called "Declarant" is the owner in fee simple of certain real property located in Guadalupe County, Texas, and known by official...

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).