

Section 1 - Sample Provision Excerpt (Public Preview)

Lf
COLLECTIONS POLICY
WORTHAM GROVE HOMEOWNER ASSOCIATION
BEFORE 10-15
BOARD OF DIRECTORS CONFIRMS MAINTENANCE FEE
AMOUNT FOR COMING YEAR

ISSUE #1

MAINTENANCE FEE STATEMENTS MAILED TO
OWNERS
JANUARY1
MAINTENANCE FEES DUE
JANUARY 31
MAINTENANCE FEES DELINQUENT - INTEREST BEGINS
ACCRUING
FEBRUARY 1
SECOND NOTICE MAILED TO DELINQUENT ACCOUNTS
- BILLING CHARGE...

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:

Lf COLLECTIONS POLICY WORTHAM GROVE HOMEOWNER ASSOCIATION BEFORE 10-15 BOARD OF DIRECTORS CONFIRMS MAINTENANCE FEE AMOUNT FOR COMING YEAR NOVEMBER MAINTENANCE FEE STATEMENTS MAILED TO OWNERS JANUARY1 MAINTENANCE FEES DUE JANUARY 31 MAINTENANCE FEES DELINQUENT - INTEREST BEGINS ACCRUING FEBRUARY 1 SECOND NOTICE MAILED TO DELINQUENT ACCOUNTS - BILLING CHARGE...

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).