

ISSUE #1

MARKUP #1 ->

Section 1: [Parking Rules & Towing Policy, Section 2.3] Immediate Towing from Private Streets Without Statutory Warn

Any vehicle parked on a community street for more than twelve (12) consecutive hours, or parked with expired registration tags on a Lot driveway, is subject to immediate non-consent towing at the vehicle owner's expense without prior warning sticker or entrance signage.



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. Parking Rules & Towing Policy, Section 2.3 (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:

[Parking Rules & Towing Policy, Section 2.3] Immediate Towing from Private Streets Without Statutory Warning Signage - Any vehicle parked on a community street for more than twelve (12) consecutive hours, or parked with expired registration tags on a Lot driveway, is subject to immediate non-consent towing at the vehicle owner's expense without prior warning sticker or entrance signage.

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).