



A PROFESSIONAL PROPERTY MANAGEMENT COMPANY

Essex has been working with HOA attorneys to prepare the following documents that are based on the Texas State property code that have changed in the last 3 years. You all may have a version of the policies in place now, however with the new state mandates we would like to encourage you to move forward with the new policies per the Texas State Property Code.

Below are the updated mandated policies:

Collections, Payment Plan & Fee Waiver Policy –

- This policy is to meet the new mandated state property law that passed that now gives owners 45-days rather than 30-days when a final notice of default is sent prior to sending to collections attorney. There are other property codes that were updated or changed, and the new policy has all the required and updated language.

Security Measures Policy w/Additional Info on Front Fencing

- This policy is necessary to address rules governing security / video cameras as well as put into place restrictions and limitations for owners wanting to fence in their front yards for “security reasons.” ACC cannot restrict the location of the fence, but they can restrict the materials used.

Enforcement and Fine Policy

- This policy changes the language regarding hearings and hearing requirements changed. Owners are now allowed to appeal directly to the board rather than a hearing panel. Also, the laws regarding board members or any member of their household serving on an ACC has changed. The law now prohibits board members or members of their household from serving on the ACC if the board member’s term is active.

We have also added in beneficial policies that would greatly benefit your communities listed below:

Community Wide Standards Policy

- Regarding trash cans and other standards to be enforced.

Drones and Unmanned Aircraft Policy

- Laws regarding drones and unmanned aircraft have become stricter. This policy helps ensure the HOA is enforcing this issue based on state law.

Generator Policy

- After the pandemic and the hard freeze, the Senate wanted a bill preventing an HOA from denying an owner’s right to have a generator. The policy dictate's location and other needed guidelines regarding generator installation.



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Lightning Rod Use Policy

- More and more Texas residents are installing lightning rods. This policy helps provide some restrictions and guidance as to installation of lightning rods.

E-Mail Registration Policy

- This policy broadened the use of e-mail notifications for HOAs. Prior e-mail notification could not be used to notice an annual or special meeting, now with the proper policy and notification of the policy in place, the Association can use e-mail notifications for a variety of reasons.

Pandemic Policy

- After COVID the State mandated policies for all HOAs to help them govern during a pandemic as well as set “no liability” perimeters in place for the Association, Board, & Managing Agent.