



SENATE BILL 1588

Reforms to Texas HOA Laws

On September 1, 2021, the following laws relating to the powers and duties of Homeowner Associations took effect:

- 1. Publicly Accessible Database:** The Texas Real Estate Commission (TREC) has established a publicly accessible central database for Texas Homeowners Associations (HOAs) to include contact information for the HOA, online resource for CC&Rs, summary of fees and amendments.
- 2. Prevention of Conflicts of Interest:** HOA directors/board members, their spouses and other members of their household may no longer serve on architectural review boards.
- 3. Meeting Notices & Budget Restrictionst:** HOA boards are now required to provide timely notice to members about meetings and all budget changes must be voted upon in open sessions.
- 4. Resale Certificate Fees:** Fees related to subdivision information are now capped and guidelines are in place for delivery timelines.
- 5. Website Requirement:** HOAs with at least **60 lots** or those under contract with a management company are obligated to maintain websites. These websites should provide information on management certificates and meeting notifications.
- 6. Service Contracts:** HOAs must solicit bids for contracts exceeding **\$50,000**.
- 7. Rental Rules:** HOAs are only allowed to request tenant contact information and lease start and end dates.
- 8. Dispute Resolution:** The legislation improves due process in dispute resolution and offers additional legal avenues for resolving disputes with an HOA.
- 9. Collection Notices for Property Owners:** HOAs must now provide a detailed report of charges and offer a payment plan before reporting delinquencies.
- 10. Property Rights:** HOAs cannot prohibit certain safety enclosures around pools or the installation of specific security measures on an owner's private property. Religious displays are also protected.

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