

TX HOA & Condo Quick Reference

SoShiny Association Software - soshiny.com

A board member's plain-English cheat sheet for the Texas Property Code chapters governing condos and HOAs — and the Business Organizations Code chapter underneath every association's corporate body.

Property Code Ch. 82 — Texas Uniform Condominium Act

§82.102

Powers of unit owners association — what your condo board can and cannot do.

§82.105

Meetings of unit owners — annual meeting required; notice and quorum set by bylaws.

§82.108

Voting; proxies — proxy rules, voting weight, and the proxy revocation procedure.

§82.113

Assessments; liability for; lien for — collection rights, lien priority, and foreclosure framework.

§82.114

Books, records, and minutes — what the association must keep and make available to unit owners.

Property Code Ch. 209 — POA / Residential Owners Protection

§209.005

Association records — owners may inspect official records within 10 business days of a written request.

§209.006

Notice required before enforcement action — written notice describing the violation must precede any fine or enforcement.

§209.007

Hearing before board — owner is entitled to a hearing on the violation before any fine attaches.

§209.0051

Open board meetings — notice, minutes, and member attendance; the foundation of Texas POA transparency.

§209.0091

Prerequisites to foreclosure — the multi-step notice and cure procedure required before lien foreclosure.

§209.0092

Judicial foreclosure required — Texas POAs cannot non-judicially foreclose an assessment lien.

BO Ch. 22 — Business Organizations Code (nonprofit framework)

§22.153

Member meetings — annual meeting requirement and notice rules for the corporate body underneath the HOA.

§22.156

Voting by members — each member has one vote unless the certificate or bylaws say otherwise.

§22.213

Meetings of board — how directors call and conduct meetings under the corporate code.

§22.354

Inspection of records by member — the corporate-level records-access right that complements Ch. 209 §209.005.

Meeting notice & deadlines

Members meeting

POA: notice mailed or hand-delivered as set in dedicatory instruments (§209.0056). Condos: as set in bylaws under §82.105.

Board meeting

72 hours minimum posted or emailed notice for POA boards (§209.0051), or as bylaws set for condos. Emergency exceptions allowed.

Enforcement notice

Written notice describing the violation must precede any enforcement action (§209.006). Owner has the right to cure where applicable.

Hearing notice

Owner must be given the right to a hearing before the board on any violation or fine (§209.007).

Foreclosure

Multi-step pre-foreclosure notice (§209.0091) plus mandatory judicial foreclosure (§209.0092). No non-judicial assessment-lien foreclosure in Texas POAs.

Official records

Minutes

Board meetings must keep minutes per §209.0051; copies available on request under §209.005.

Records inspection

Owners may inspect association records within 10 business days of a written request (§209.005). Reasonable copying fees permitted.

Subpoena production

POAs are subject to records subpoenas under §209.021 even outside ordinary inspection.

Third-party debt collectors

POAs using outside collection agencies must give required statutory notices (§209.0064) before assigning a delinquent account.

Quorum & voting

Condo (Ch. 82)

Quorum + voting weight set in declaration and bylaws
Proxies permitted (§82.108); revocable and dated
Action by ballot (without meeting) allowed when bylaws permit
BO Code Ch. 22 fills in any gaps the condo statute leaves

POA (Ch. 209)

Open board meetings required (§209.0051); members may attend
Directors meeting quorum + voting under §209.0052
Member votes counted under §209.0042 with the ballot rules of §209.0055-§209.0058
Recount allowed under §209.0057 on timely demand