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CAUSE NO. 26-0508-C480

W. BEAVERS	§	IN THE DISTRICT COURT
	§	
V	§	480TH JUDICIAL DISTRICT
	§	
LEGENDS OF HUTTO	§	WILLIAMSON COUNTY, TEXAS

FINAL JUDGMENT

On May 19, 2026, the Court heard this case.

The Court has reviewed the brief of authorities provided by the Plaintiff, which included the following:

Texas Property Code Sections 202.006(b), 209.0058(a)(5), 209.00591, and 209.0051e

The Defendant was required to give notice of the meeting that was to be held on February 17, 2026 to amend the Association’s bylaws. The testimony was that two different notices were provided. The first notice did not have the time of the meeting, just the date and zoom link. The Plaintiff received that notice and when he complained, the testimony was that a new notice was sent out with the date and time of the meeting on February 17, 2026. The Plaintiff contested that testimony. Therefore, based on the limited evidence and the fact that the Plaintiff received the first notice, the Court had to make a fact determination on whether a revised notice was sent and the Court finds that the Plaintiff did not persuade the Court that the second notice did not get sent out. Accordingly, based on the limited evidence, the Plaintiff did not establish a violation of Texas Property Code 209.0051.

The law is also clear that the Amended Bylaws that were passed by unanimous vote on February 17, 2026 at the board meeting became effective on February 23, 2026 when they were filed as set forth in Texas Property Code 202.006(b).

Then, on February 19, 2026, there was a meeting and the Plaintiff was elected as a director to the board by a ballot/vote process. This was undisputed. The Plaintiff cites Texas Property Code Section 209.00591, however, this section only prohibits the dedicatory instruments from restricting a property owner from running for a position on the board. The Bylaws in effect on February 19, 2026 did not restrict the Plaintiff from running for a position on the board. The other sections cited appear to relate to ballots/votes being cast in an election (209.0058). The only votes cast by a member of the association based on the testimony was at the February 19, 2026 wherein the Plaintiff was elected and became a director. This statute does not seem to address decisions made by directors or the bylaws themselves.

Texas Business Organization Code Sections 22.102(b) and 22.211

The Plaintiff has cited Texas Business Organizations Code Section 22.102(b) to state that the bylaws must comply with the law. The Court did not hear evidence of any law the Defendant's bylaws violated.

The final provision of the Texas Business Organizations Code that was cited by the Plaintiff was 22.211(b), however, that provision is not applicable based on the language in 22.211(a), which explicitly authorizes that a director that was elected could be removed by the bylaws under "any procedure provided by the bylaws. That is precisely what happened in this case.

Ruling

The Plaintiff's relief is hereby denied and the Defendant's relief is hereby granted for the award of reasonable and necessary attorney's fees of \$10,000.00 against the Plaintiff.

Relief Not Granted

IT IS ORDERED that all relief requested in this case and not expressly granted is denied.

SIGNED on May 20, 2026.



JUDGE PRESIDING

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