

**North Castle Hills
Neighborhood Meeting Regarding the Proposed Update of the NCH Deed Restrictions
July 18, 2026**

Questions, Comments and Suggestions Made by Neighbors in NCH

If the neighborhood approves the current proposed deed restrictions amendments, will this open the door for the HOA to implement new and more onerous restrictions after the current board is gone (for example, what will it be like in 10 years)?

The basic answer to that question is “absolutely not” without the authorization of a majority of lot owners.

To understand why this is so, you must recognize that the deed restrictions and the HOA are different things. Every homeowner must comply with the deed restrictions. Currently, the HOA does not have the authority to enforce the deed restrictions in place. The proposal NCH is considering would allow the HOA to enforce the proposed amendments, but none of the existing deed restrictions. **The neighborhood, by majority positive vote of all lot owners, would have to authorize any further HOA enforcement capability in the future.**

By approving the proposed deed restrictions, wouldn't we be setting a precedent for future HOA boards to enact new rules on neighbors?

Absolutely not. Neighbors raised these issues and requested the HOA board bring a proposal to the neighborhood for discussion and a vote. The current deed restrictions proposal process is being done according to the process allowed in the current binding deed restrictions. Any future amendments to the deed restrictions would have to go through this same process. So logically speaking, the deed restrictions amendment process outlined in the current deed restrictions *is the precedent* that needs to be followed in the future. No new precedents are set by approving the proposal now under consideration by the neighborhood.

How can neighbors be sure that HOA Boards in the future will make enforcement judgements based on the guidelines set out in the deed restrictions and not be subject to inconsistency or their own value judgements.

Transparency is definitely a key component of any organization. And both parts of the Deed Restrictions/HOA system (the elected by neighbors board and neighbors themselves) must be diligent in making sure that all participate in the process and hold each other accountable. The board must follow the guidelines set out for enforcement. All neighbors do their part by understanding the deed restrictions and following the rules in place. How then does each party hold the other accountable? A system and practice of transparency is a key tool.

The current group of officers created a website where all neighborhood documents like deed restrictions and HOA bylaws/financial statements are posted. There is also a contact page to submit questions to the HOA Board at any time. There is a news page for people to keep up with happenings in the neighborhood. This group of officers created a updated directory and put it online and printed a copy for everyone. This is a key means of communicating with other neighbors. Then, there is the annual picnic and business meeting where homeowners can

attend and ask questions. Many tools for providing transparency have been put in place. It is up to neighbors themselves to participate in the process outlined in the deed restrictions and HOA bylaws.

If there are other ideas to facilitate communications among neighbors, please submit those suggestions through the NCH website. www.NCHHOA.com.

How do the Deed Restrictions work with State or Local laws/regulations? Which takes precedence?

There is often no black and white answer when it comes to the law (as you heard at the meeting). In some cases, like political signs, because the NCH Deed Restrictions are 40-plus years old, they do not comply with State law regarding political signs. The State would win that argument if the current HOA tried to enforce the current deed restrictions which state there can be no yard signs except for “for sale or contractor” signs. On short-term rentals, the City of San Antonio issues a three-year permit for people to operate a short-term rental. However, the Texas State Supreme Court ruled that an HOA can ban short term rentals in their neighborhood if approved by the lot owners. Consequently, each time there is a question about precedence, the neighborhood/HOA will have to review current State laws and City ordinances and weigh them against what the current NCH Deed Restrictions state.

If I did not support making the Homeowners Association mandatory and pay HOA dues if approved, will a lien would be placed against my home?

There is no mandatory HOA requirement at this point. That would have to be authorized by the neighborhood. The scenario in the question does not exist.

(Statement) The Homeowners Association intended to increase dues once approval was obtained from 50% or more of the homeowners.

False. HOA dues increases are part of the HOA bylaws process *not the deed restrictions*. There were a few homeowners who stated they felt that HOA dues need to be raised, but the HOA board declined to put that on the table for discussion. The only proposal open now for the neighborhood concerns four separate amendments to the existing deed restrictions, which, as stated above, is a separate operating process from HOA operations.

(Statement) - There is no HOA in North Castle Hills (NCH).

False. The NCH HOA was chartered through the Texas Secretary of State’s Office in 1980 as a Texas Nonprofit Organization. The Texas Tax ID is 30004944929.

There were several comments/questions about the proposed restrictions on Commercial Activity at a residence, such as, “Are yard sales, lemonade stands, and other similar activities going to be prohibited under the proposed Commercial Activity deed restriction amendment?

The proposed commercial activity amendment is only intended to prohibit consistent levels of commercial business activities in the front yards/driveways of homes that could:

- Add some sort of danger to neighbors such as auto repairs being made in the driveway or on the street,
- Bring unsightly dumping of machine parts and other business-type debris to a front yard,
- Bring oils, greases, gasoline or other types of flammable materials to a front yard,
- Add more traffic to the surrounding neighbors that might not be there if the commercial activity was taking place.

Any other commercial activity occurring inside homes or in backyards would not be affected by this proposed amendment. Also, occasional “business” activities, such as garage sales or lemonade stands, would not be affected by the proposed amendment to the deed restrictions.

The HOA board agreed to review the Commercial Activity amendment and clarify its intent.

On yard signs, how will we know which signs are allowed and which ones are not?

The most important part of the new sign proposal amendment is that the NCH deed restrictions are not compliant with State of Texas laws regarding political signs. Currently, the deed restrictions say that no yard signs are permitted except for “for sale” signs and contractor-type signs (roof being repaired by...windows being installed by...). The proposal suggests the the NCH deed restrictions should comply with State law. Texas Election Code 259.002 states political signs may be set out 90 days before an election and required to be taken down 10 days after the election. The size of those signs is also governed by Election Code 259.002, Maximum size is 4 feet by 6 feet (24 square feet). Neighbors who operate outside of these State laws would be contacted and asked to comply. There are no fines suggested for the HOA to impose on those who willfully won't work with in State law. The only remedy the HOA would have if neighbors ignored State law would be for the HOA to remove the signs after one warning letter and noncompliance with that warning letter and not be subject to trespassing.

There were other questions about other types of signs. The board agreed to clarify questions about those other types of signs.

(Statement from a neighbor) For the most part HOAs I've been a part of have been a positive experience. The question here is how will the NCH HOA boards consistently apply decisions on the proposed deed restrictions amendments?

The board noted that it will work to clarify questions that some neighbors have about specific details in the proposed deed restriction amendments. Those clarifications will go toward giving HOA boards less need for making decisions on gray-area arguments. Obviously, there is no way to make every decision a black-and-white call for the board, and board members will need to use their best judgement at times. But, the best-case scenario for all neighbors, including HOA board members, is to create deed restriction rules with the best explanations possible.

Does the current deed restrictions amendment describe how a lien would be enforced?

Yes. The proposed deed restrictions describe how the lien process works. Placing a lien on a house is also considered the very last action taken to secure compliance. The best-case scenario in all cases is discussion and positive response to those discussions about deed restriction compliance.

(Statement) I would be in favor of all the proposed amendments if the current proposal would include a two-year sunset component.

Interesting thought. Including a two-year limit on the neighborhood's decision to enact the proposed deed restrictions would mean the neighborhood would have to go through this decision process every two years. It also assumes that the issues facing the neighborhood now could or would be resolved within those two years which would then render the newly enacted deed restrictions unnecessary. Unfortunately, the issues being addressed by the new deed restrictions are a way of neighbors saying they do not want the types of activities creeping into the neighborhood to ever be allowed. For example, on the short-term rental issue, neighbors have voiced the opinion that short term rentals should be banned. The other proposed deed restriction amendments are also things people have said they don't want happening in the neighborhood at any time in the future. The good news is that the deed restrictions allow the neighborhood to determine its future by going through the majority voting process at any time rather than having to comply with an arbitrary time limitation, which is what a sunset clause is.

What has the neighborhood spent on this deed restrictions process?

Costs incurred before the vote.

\$700 - attorney draft of deed restriction amendments

\$460 - printing of deed restrictions for neighborhood

\$100 - street signs

\$200 - rent of Boy Scouts facility for the neighborhood meeting

\$1460 - Total to Date (July 18)

The voting process handled by a third party will cost \$1,750. The vendor is Intelliscan, Inc.

Can we add as part of the upcoming deed restrictions vote that all homeowners must be members of the HOA and pay the minimal \$75 per year dues. (Resident Statement) "I feel offended that the current HOA members now subsidize other homeowners who for whatever reason will not contribute the small sum of \$75 per year for the well-being of the neighborhood." (There were several statements of this nature.)

Because we are nearing the timeframe of voting on the new deed restrictions, it wouldn't be right to add an HOA dues requirement at this point in this deed restrictions vote process.

However, those who feel strongly about all homeowners who live in North Castle Hills having the minimal responsibility of contributing \$75 per year should vote YES in the non-binding opinion poll which will be on the upcoming neighborhood ballot.

On the garbage and dumping deed restriction amendment, will the City issued garbage containers have to be kept behind a fence?

No. The current proposal only says that garbage typically accumulated in a home should be kept in those City containers with the lids secured. While keeping trash cans out of plain view is ideal, it is not now required and is not a part of the new proposal.

I'm fundamentally in support of this trash/dumping change but wonder why you don't address the placing and removing of the trash, recycling and organic containers on the curb in a timely manner. In my opinion, it is unsightly for containers to be placed in the street days in advance of scheduled pick up and left out on the street for days following pickup. Not only does it make the neighborhood look bad, but it also creates safety issues.

The current HOA board has stated from the beginning that they were going to work on a proposal of the most pressing issues brought up by neighbors over the past couple of years. The four deed restrictions items going forward include short-term rentals, commercial activity in front yards, trash dumping on NCH lots, and bringing the NCH yard sign deed restrictions up to compliance with Texas State law. Policing when neighbors bring in their trash cans seems to fall into the category of an overbearing HOA. The call for the type of HOA that governs grass height, color of homes, and other types of small-issue governance has been widely spoken against rather than in favor.

Overall, the board has done a good job in creating this proposal. I would like to see the short-term rental and commercial activity enforcement recommendations split out (they are currently under the same enforcement recommendations). The short-term rental fine proposals are way too low and probably would not both short-term rental operators.

The board will create separate enforcement penalties for those two categories of deed restriction amendments and share them with the neighborhood before the vote takes place.

(Statement) If a lien is filed against a homeowner as a last resort of compliance, that means that the payment of any fines would not happen until the home is sold which could be years from when the lien is filed. That means it will be important for the HOA to remain active if the lien proceeds could be received at the time of said house being sold.

Yes. That is a very important point.

As the board works through clarifying the current proposal as some have requested on certain items today, please keep in mind that those clarifications will need to hold up before a court if anyone ever decides to take legal action on any liens, fines.

Yes. Excellent reminder and the board will do its best to create very solid deed restriction descriptions that can be legally enforced. The hope is we never have to file a lien or assess a fine.

I very much support what the neighborhood is trying to do on all the issues. However, I'm hesitant to vote to approve some because there aren't enough specifics about how the board will make decisions about some of the issues. There are many instances that could come up that the proposal doesn't address in black in white.

The board will work to clarify questions asked about the commercial activity and trash dumping. The person asking this question was asked to submit his clarifications in writing over the next few days after the meeting (July 18, 2026) so the board would know what his specific issues are.

When is the vote scheduled? Other info on the voting process.

The vote is currently scheduled for mid-August. However, the board has agreed that if clarification of the current proposal takes longer than anticipated, the vote could be moved back into September or October. At the very outset of this process, the board said it preferred quality results vs. getting ambiguous results for the sake of time. The vote will be held electronically first (via email). Those not responding to the email sent by Intelliscan will then be sent a paper ballot. The timeframe for how quickly both actions can happen is still being discussed.

There are 165 lots in North Castle Hills. There will be one vote per lot owner. There are two homeowners who have double lots. They will have two votes (one vote per lot). It will take at least 83 positive votes on each of the four provisions to enact them.

There will be one non-binding vote to get neighbors' opinions on whether each homeowner should be a member of the NCH HOA and pay the current dues of \$75 per year. Some homeowners contribute more than \$75 per year. The results from this opinion poll will inform future boards on how strongly neighbors feel that each homeowner should contribute the \$75 per year to the upkeep and safety of North Castle Hills, or whether neighbors are OK with subsidizing others who could contribute to the well-being of North Castle Hills.

Some homeowners who live next door to short-term rentals or the one place of commercial activity in the front yard made statements in support for the deed restrictions. There was one account of a realtor telling a neighbor currently trying to sell a home near the commercial activity and trash dumped in the front yard that her home value would be reduced because of the neighbor's actions.