



YOUR GOALS OUR EXPERTISE

A Comprehensive Legal
Plan from Concept to
Daily Operation of a
Community Association

WHO WE ARE

ROBERTS MARKEL WEINBERG BUTLER HAILEY PC is a Texas law firm providing the experience and service our clients require for their transactional and litigation needs for over 40 years.

Roberts Markel Weinberg Butler Hailey PC was founded in 1981 as a civil law firm handling transactional and litigation matters throughout the state of Texas. Since our inception, we have provided our clients with practical and efficient solutions to help them grow along with us.

Our practice areas include community associations, condominium associations, residential and commercial real estate, labor and employment for business owners, professional liability, directors and officers litigation, fiduciary litigation, commercial litigation, appeals, construction law, and corporate matters.

Clients trust RMWBH because we keep their business goals at the forefront. From the boardroom to the courthouse, the firm's established experience, commitment to exemplary service and sincere approachability set us apart from other law firms.

Our seasoned risk-management philosophy emphasizes litigation avoidance through corporate-compliance efforts and pragmatic business decisions. The firm is A-V Preeminent rated on Martindale-Hubbell which is the highest rating for ethics and competence.

With offices in Austin, Frisco, Houston, and San Antonio, the firm includes more than 40 lawyers with diverse practice areas and backgrounds who have the experience, maturity, and legal skills to handle a wide range of legal issues.

REAL ESTATE DEVELOPMENT

LISA GAMBRELL



HIMESH GANDHI



JANE JANECEK



MARC MARKEL



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Texas Board of Legal Specialization
COMMERCIAL REAL ESTATE LAW

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PROPERTY OWNERS ASSOCIATION LAW
RESIDENTIAL REAL ESTATE LAW

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RESIDENTIAL REAL ESTATE LAW
COMMERCIAL REAL ESTATE LAW

DREW SENULIS



ISABELLA VICKERS



CALEB WOOD



COMMUNITY ASSOCIATION CORPORATE

SIPRA BOYD



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CLINT BROWN



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CLIFF DAVIS



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PAUL GAINES



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PROPERTY OWNERS ASSOCIATION LAW

MELISSA MCLAIN



ERIC TONSUL



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PROPERTY OWNERS ASSOCIATION LAW

COMMUNITY ASSOCIATION COMPLIANCE

Collection and Deed Restrictions

JEFF LIBERSAT



BRITTANY OLSEN



SAM SHINODA



CHRIS TREVINO



DERRICK VERDUN



KELTON WILKINS



OUR PHASES

RMWBH PROVIDES FULL-SERVICE REPRESENTATION FOR COMMUNITIES WHICH ARE SUPPORTED ACROSS SEVERAL OF ITS PRACTICE AREAS.

1

LAND ACQUISITION

Commercial Real Estate
Residential Real Estate
Corporate



2

STRATEGIC PLANNING FOR COMMUNITY FORMATION AND DEED RESTRICTION STRUCTURE

Commercial Real Estate
Residential Real Estate
Corporate



3

TRANSITION TO OWNER CONTROL AND BEYOND

Commercial Real Estate
Residential Real Estate
Mixed Use Real Estate
Property Owners Association
Employment
Litigation



4

OPERATION OF ASSOCIATION (BOARD AND OWNER CONTROL)

Property Owners Association
Employment
Litigation





1

PHASE 1 LAND ACQUISITION

- Raw Land Acquisition
- Corporate Formation
- Letter of Intent
- Due Diligence (Purchase and Sale Negotiations & Agreements)
- Monitoring of critical dates
- Title/Survey Reviews and objections
- Coordination of Environmental Studies
- Financial Agreements
- Development Agreements
- Builder Relationships (Drafting and Negotiating Take Down and Builder Agreements)



PHASE 2 STRATEGIC PLANNING

- Community Formation for Use, Architecture, Governance
- Preliminary Discussion—Scope of Project (Residential, Commercial, Master Planned, Single-Family, Condominium, Townhome, Build-to-Rent, etc.)
- Mixed Use (Allocation of Use, Cost Sharing Agreements, Amenities, Special Purpose Districts, Easement, Reserves, Detention/Retention Ponds, Lifestyle Component)
- Advice and Implementation of Fees and Funding Mechanism (Assessments, Neighborhood, Private, Gated, Foundation Fee, Capitalization Fee, Community Enhancement Fee)



- Interaction with Special Use Districts (MUD, LID, PUD, WCID)
- Creation of one or more Community Association Entities
- Review Preliminary Plat for Property
- Draft Base Governing Documents (Deed Restrictions, Bylaws, Policies, Rules and Regulations, Guidelines, Minutes of Organizational Meetings, Board Resolutions)
- Draft Master Service Agreements, Facility Use/Rental agreements, Waiver/Indemnity Agreements for Access and Amenity Use, including Indemnity and Insurance Requirements
- Insurance Review of GL, D&O, Worker's Comp, Auto, Umbrella, Cyber and Other Polices for the Protection of the Parties
- Annual Audits
- Coordination and Review of Reserve Studies
- Review of Management Agreements
- Negotiating and Drafting Agreements, Supplemental Amendments, Annexations for Additional Property in furtherance of the Master Plan
- Legal Opinions (Standard of Care, Premise Liability, Statutory Compliance during Development Period)
- Litigation Avoidance and Risk Minimization of For-Profit Developer



3

PHASE 3 TRANSITION FROM OWNER CONTROL AND BEYOND

- Developer Turnover – Planning and Implementation
 - Training Future Board Members
 - Review of all Existing Service Contracts
 - Turnover Checklists
- Updating Reserve Studies
- Turnover Audit
- Turnover Inspections
- Turn over Meeting and Election of Owner Board
- Insurance Review of GL, D&O, Worker’s Comp, Auto, Umbrella, Cyber and Other Polices for the Protection of the Parties



PHASE 4

OPERATION OF ASSOCIATION

- Standardize Request for Bids (RFP) and Master Service Agreements
- Review and Advise on Status of Contracts and Governing Documents, including any Recommended Changes and Assignments
- Legal Advice and Training for Managers and Board Members (Standard of Care, Statutory Compliance, Collection and Deed Restriction Enforcement, Case Law Update, Legislative Updates, Contract Review and Negotiations, Vendor Disputes, Election Disputes, Monthly Webinars/Newsletters, Defense of Claims, Construction Defect)
- Deed Restriction Enforcement and Assessment Collection



- Legal Opinions as Basis for Board Decisions
- Periodic Review of Governing Documents, including Recommendation and Drafting of Amendments, Supplements, Policies, Guidelines
- Assist with and Attend Annual/Board Meetings, In-Person and Virtual
- Resolve Board Disputes
- Borrowing and Loan Review Process
- Debt Collection Compliance
- Coordinate and Review Periodic Reserve Studies
- Proprietary AI Software for Collection and Compliance (Client Access and Reporting)
- ACH Payments, Transfer and Electronic Invoicing
- Tiered Team Representation with Access to Attorneys/Team Leads/Supervisors