**City of Houston – deed restrictions have lifespans of 25-30 years and then must be approved by property owners.**

“About Deed Restrictions.” City of Houston Website. Accessed July 6, 2018. <http://www.houstontx.gov/planning/Neighborhood/deed_restr.html>.

**Most deed restrictions have an average life span of 25 to 30 years. Some are in effect �in perpetuity.� Many deed restrictions contain a provision for automatic renewal after the initial 25 to 30 year span, unless the owners take action to prevent renewal. Other deed restrictions, after the initial term of 25 to 30 years, must be renewed by written approval of a specified percent of property owners.** Residents may obtain a copy of deed restrictions for their subdivision from the County Clerk of the county in which they reside. Each county charges a nominal fee for copies of deed restrictions. Harris County residents should contact:

**Nolan Gray – after expiration, a majority of residents must renew the deed every 10 years or so.**

“Are Houston’s Deed Restrictions ‘Basically Zoning’?” Market Urbanism (blog), April 11, 2018. <https://marketurbanism.com/2018/04/11/houstons-deed-restrictions-basically-zoning/>.

**Compare that to Houston’s deed restrictions, which nearly always incorporate expiration dates, after which the restrictions must be approved by a majority of residents every 10 or so years depending on the deed’s terms. At these intervals, residents can and occasionally do let the restrictions expire, allowing single-family neighborhoods to incorporate townhomes, apartments, and small businesses. As Kapur notes, however, residents often use these intervals as an opportunity to reconfigure the deed to reflect changing market conditions.** Particularly in older neighborhoods within the 610 loop, where the original terms of the deed restrictions are often long-expired, residents are made to regularly come together to debate and discuss how they think their community should be regulated as part of the re-approval process, meeting as equals with relatively little top-down control of process.[[2]](https://marketurbanism.com/2018/04/11/houstons-deed-restrictions-basically-zoning/" \l "_ftn2) This leads to the de facto upzoning of high-demand Houston single-family residential neighborhoods with surprisingly frequency, an unthinkable outcome in most zoned cities.

**Houston Real Estate Law Firm – Restrictions must be renewed by written agreements.**

“Houston Real Estate Law - Deed Restrictions & HOAs.” Henry A. Jakob, PLLC. Accessed July 6, 2018. <https://jakoblawfirm.com/houston-real-estate-law/deed-restrictions/>.

In some cases, deed restrictions remain in force for an indefinite period of time. More commonly, restrictions have an effective lifespan of no more than 30 years. **After its expiration, a restriction must be renewed by written agreement to remain or re-enter into force.** Although deed restrictions are private agreements, they are recorded with the county in which the property is located and remain in force even after the property is transferred to a new owner. As such, it is critical for property buyers to understand the nature of any deed restrictions that apply to properties under consideration.

**Wilson, Cribbs and Goren – only can be terminated by a supermajority vote.**

Wilson, Reid C. “Restrictive Covenants: Modifying and Updating.” Wilson, Cribbs & Goren, P.C, July 2010. <http://wcglaw.com/assets/docs/publications/1280339397_Restrictive%20Covenants%20-%20Modifying%20and%20Updating.pdf>.

**Typically, Restrictions which allow for modification, extension, or termination of Restrictions provide they can (i) be modified by a majority vote, (ii) automatically renew for 10-20 year periods, and (iii) be terminated by a super majority vote (75-90%).** These actions bind all owners subject to the Restrictions. Many of the procedural provisions of Chapter 204 should be incorporated into the modification/renewal/termination provisions of Restrictions.