

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-11-00332-CV

Randy Dennis, Appellant

v.

**Beacon Ridge Townhomes Condominium Association of Owners, Inc.
and Debra D. Mathis, Appellees**

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 345TH JUDICIAL DISTRICT
NO. D-1-GN-09-004395, HONORABLE RHONDA HURLEY, JUDGE PRESIDING**

MEMORANDUM OPINION

The Beacon Ridge Townhomes Condominium Regime (the “Regime”) was formed when the Declaration of Beacon Ridge Townhomes Condominium Association (the “Declaration”) was filed with Travis County. *See* Tex. Prop. Code § 82.051 (specifying manner in which condominiums may be formed). Under the terms of the Declaration, the Regime is governed by the Beacon Ridge Townhomes Condominium Association of Owners, Inc. (the “Association”). When the Declaration was filed, a portion of the property was subdivided into 24 units with each unit having a 1/24th interest in the remaining undivided common areas.

After the property had been subdivided but before any condominiums had been constructed, Randy Dennis purchased eight of the units, which were subject to the terms described in the Declaration. Subsequent to Dennis’s purchase, the Association began sending Dennis assessments, which Dennis paid for months. When Dennis stopped paying the assessments, the