

Comparison Chart of Restrictive Covenants In Texas Short-Term Rental Cases

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SUPREME COURT OF TEXAS
STATE CLERK

| | <i>Garrett v. Sympson</i> (2nd Court) | <i>Zgabay v. NBRC POA</i> (3rd Court) | <i>Boatner v. Reitz</i> (3rd Court) | <i>Tarr v. Timberwood Park HOA</i> (4th Court) | <i>Munoz v. Milton</i> (4th Court) | <i>Bernardo v. Humble</i> (9th Court) | <i>Ridgepoint Rentals v. McGrath</i> (9th Court) | <i>JBrice Holdings v. Wilcrest Walk Townhomes</i> (14th Court) ¹ |
|--------------------------------|--|--|--|---|--|--|---|---|
| “Residential” wording at issue | “single family residence purposes” | “single family residential purposes” | “residence purposes only” | “solely residential purposes” | “solely for residential, camping or picnicing purposes” | “single-family residence purposes” only | “residential purposes only” | “private single family residence” |
| “Business” wording at issue | not for “commercial purposes” | “No Activity, whether for profit or not, shall be conducted . . . which is not related to single family residential purposes.” | not for “business” | not for “business purposes” | not for “business purposes” + “Motel, tourist courts, and trailer parks shall be deemed to be a business use.” | not for “business purposes” | not for “commercial uses” + no “hospitals, clinics, duplex houses, apartment houses, boarding houses, hotels” | not for “business, commercial, trade or professional purposes either apart from or in connection with the use thereof as a residence” |
| “Leasing” wording at issue | silent | silent | silent | silent | silent | silent | silent | “no restriction on the right of any townhome owner to lease his unit” |
| “Single Family” wording | included in “residential purposes” wording | included in “residential purposes” wording | separate construction requirement | separate construction requirement | unclear | included in “residential purposes” wording | separate construction requirement | included in “residential purposes” wording |
| “Signs” | “for rent” signs allowed | “for rent” signs allowed | silent | silent | silent | silent | builder “sale” signs allowed | “for rent” signs allowed |

¹ Abated pending decision in *Tarr*.