

RESOLUTION NO. 20151112-027

WHEREAS, recent development trends in Austin, including the demolition and redevelopment of multi-family properties, have resulted in the displacement of tenants; and

WHEREAS, displaced tenants are confronted with the financial burden and unanticipated cost of relocation; and

WHEREAS, the destabilizing repercussions of displacement affect many of the most vulnerable members of our community, including low-income families and individuals, families with school-aged children, residents over the age of 65, residents with fixed incomes, and residents with disabilities or limited mobility; and

WHEREAS, on multiple occasions, Council has found it to be in the public interest to approve zoning change cases that have included agreements by applicants to provide relocation assistance to displaced tenants; and

WHEREAS, there is no uniform ordinance or existing standard mechanism addressing this public interest need; and

WHEREAS, Council Resolution 20121108-059 directed the City Manager to work with the Community Development Commission and stakeholders to develop recommendations regarding relocation standards and to identify the feasibility of and mechanisms for implementing these standards in zoning and demolition permit applications; and

WHEREAS, from February to May of 2013, City staff conducted seven public and commission input gathering sessions including presentations before the Housing Committee of the Community Development Commission and the Codes and Ordinances Committee of the Planning Commission; and

WHEREAS, on May 20, 2013 the Neighborhood Housing and Community Development Department, with assistance from the Law Department, presented a memorandum to Council with tenant relocation policy recommendations incorporating feedback from stakeholders and research from the Community Development Clinic at the University of Texas at Austin School of Law; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates amendments to the Land Development Code (*Title 25*) to establish tenant relocation assistance requirements for applicants of developments with the intent to demolish and/or renovate multi-family structures that will result in displacement of tenants. The City Manager is directed to prepare a draft ordinance consistent with this initiation and to consider including the following provisions, in addition to any other provisions deemed appropriate:

- Requiring applicants to provide notice to tenants of the final move-out date at least six months in advance.
- Requiring applicants to allow flexible move-out dates to tenants within the six months after the final move-out date notice is given.
- Requiring applicants to provide relocation and moving stipends to eligible, qualified tenants.
 - Determining the eligibility and qualification of tenants as well as the level of assistance required shall be based on tenant household income and consideration of specific special needs such as age and disabilities.
- Requiring applicants to refund full security deposits to tenant

households where no developer-owned property is missing upon move-out.

- Requiring a reasonable waiting period between the issuance of a demolition permit and the execution of the demolition by the applicant.
- Requiring applicants to provide displaced tenants resources and access to realtors or other qualified individuals to assist with navigating the relocation process.

BE IT FURTHER RESOLVED:

The City Manager is directed to explore the viability of including the following:

- Requirements for temporary relocations, including tenant relocation assistance requirements specifically for tenants who are displaced because of repair or rehabilitation of their rental unit by the landlord to bring the unit into compliance with code, and the tenants are expected to be able to reoccupy the unit.
- Requirements for emergency relocations, including tenant relocation assistance requirements specifically for tenants who are displaced from their rental units as a result of a city or court order to vacate the unit or where vacation is required to enable compliance with a notice of code violation from the city because of imminent potential harm to the health and safety of tenants.

BE IT FURTHER RESOLVED:

In addition to the legally required public hearing before the Planning Commission, the City Manager is directed to hold two public meetings to solicit

input regarding the code amendments which shall include affected tenants and their advocates and representatives from the development community, including stakeholders from, but not limited to, the Austin Apartment Association, the Board of Realtors, and the Austin Tenants' Council.

BE IT FURTHER RESOLVED:

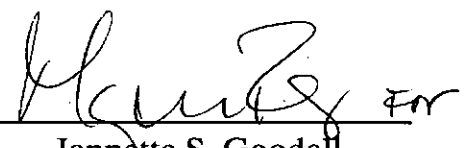
The City Manager is directed to present an ordinance incorporating national best practices and consistent with this resolution to the Council's Housing and Community Development Committee for consideration not later than 120 days after adoption of this resolution.

BE IT FURTHER RESOLVED:

After completing the stakeholder input gathering process, the City Manager is directed to provide information detailing any additional resources and administrative support needed to implement a tenant relocation assistance program in accordance with this resolution and a mechanism for enforcing its standards not later than 180 days after adoption of this resolution.

ADOPTED: November 12, 2015

ATTEST:


Jannette S. Goodall
City Clerk