

Tenant Relocation Assistance Stakeholder Meeting Notes

02/20/2016

Discussion of Policy Development Process

- The policy recommendations will be compiled into a draft ordinance that will be reviewed by the Planning Commission – the Planning Commission is a citizen board that reviews zoning applications and changes, and other land use/development regulations. Review by this group is required.
- The draft ordinance will then be reviewed by City Council for approval. If City Council approves the ordinance, the regulations will then be implemented by City departments. The ordinance would only apply within the Austin city limits. If other cities choose to create similar policies, their respective councils/governing bodies would need to adopt the regulations separately.
- City Council directed staff to develop similar tenant relocation policy recommendations in 2012. The Neighborhood Housing & Community Development Department worked with stakeholders to develop these recommendations and submitted them to Council in a memo in May 2013. No further action was taken by City Council on the issue until the resolution in November 2015 directing staff to begin the current initiative.

General Notes Regarding Proposed Policy Solutions

- Regulations relating to repairs and prohibitions on intimidation/harassment already exist in the Property Maintenance Code. These regulations are not being enforced everywhere, as evidenced by tenants who have experienced problems with these issues.
- Staff understand the need to address the prompt return of security deposits; the question is how to ensure tenants receive their deposits in a timely manner while also following state law regarding security deposits and lease agreements.
- Other recommendations, including flexible move out dates, also require this same consideration to make sure they are not in conflict with existing state laws.
- Need to ensure regulations require applicants to disclose information on whether displacement will occur as a result of zoning changes.
- Current practice is that City of Austin cannot deny a demolition permit if the building is not historic.
- Provisions should also account for activity that does not involve demolition, but that would necessitate relocation of tenants, like the plumbing work that has been going on at Fairway Apartments. This may be difficult to insert into the development process because it may not be as clear that displacement will result when an applicant is seeking another type of permit.

- One of the most important parts of this program is ensuring a that tenant advocate who knows the laws is involved.
- Consider FEMA's model of providing assistance to flood victims.
- Some stakeholders discussed prohibitions on rent increases, or requiring notice of imminent rent increases when properties are slated for demolition. Texas law has limitations on the ability of cities to regulate increases in rent, but staff could look into whether notices could be required.
- Tenants who speak Spanish need to receive application/lease in Spanish so they can understand it. Tenants are often uninformed of their rights and are afraid to challenge property managers or owners who are requiring them to do things that may violate those rights. Tenants do not know where to go when their rights are violated.