

TENANT RELOCATION ASSISTANCE

Austin City Council Housing & Community
Development Committee
February 10, 2016

Background

- 2012 City Council resolution: develop recommendations on relocation standards and their implementation
- May 20, 2013: Neighborhood Housing & Community Development submit memo of recommendations to City Council
 - Incorporated feedback from stakeholders and recommendations from University of Texas Law School's Community Development Clinic

Resolution 20151112-027 (Nov. 12, 2015)

- Initiates amendments to the Land Development Code to establish relocation assistance requirements for applicants of developments with the intent to demolish and/or renovate multi-family structures that will result in the displacement of tenants.
- The City Manager has been directed to prepare a draft ordinance, and to consider including a number of provisions.
- Seeking feedback to identify the needs of the community and to ensure the ordinance that is ultimately drafted is responsive to them.
- The goal is to mitigate the negative impacts of displacement on the most vulnerable residents.

Purpose

- Currently, no comprehensive formal policy for assisting displaced tenants
- Redevelopment of several multifamily properties has resulted in tenant displacement over the last several years
- Displacement can have destabilizing effects on the most vulnerable in our city, including elderly, low-income, or disabled households
- Need for relocation assistance requirements in cases where the demolition or renovation of multifamily structures would result in the displacement of tenants, and in cases where temporary or emergency relocations of tenants would result from repairs or vacating a unit as a result of code violations.

Participating Stakeholder Groups

- Tenants who have experienced displacement in Austin
- Representatives from:
 - Austin Tenants' Council
 - Ladies of Charity of Austin
 - Texas Rio Grande Legal Aid
 - HousingWorks Austin
 - Austin Apartment Association
 - Austin Board of Relators
 - Real Estate Council of Austin
 - Austin Independent School District
 - Housing Authority of the City of Austin
 - City of Austin - Code, Health & Human Services, Development Services, Austin Energy

Challenges of Relocation

- **Moving expenses** are costly and difficult to pay (application fees, deposits, truck rental)
- It is difficult to find **comparable housing** (new units more expensive, farther away from transit), requiring a long time to find a suitable new home
- Moving often requires **changing schools**; this is difficult on children in the middle of the school year (costs also accrue: transportation to school, uniform costs)
- **Security deposits** are not returned in a timely manner
- **Insufficient notice** is given to tenants of the need to vacate
- Tenants often do not know **where to go**, how to navigate process of relocating
- Some tenants need **interpreting services** while navigating process
- Units slated for demolition fall into **disrepair** toward the end of the move-out period, but are still occupied
- Tenants and property managers often experience **antagonistic or ineffective interactions**

Feedback from Tenant Advocates and Representatives of the Development Community

- Topics discussed:
 - Need for the City to **collect information** about potential displacement
 - Possibility of incorporating requirements into **permit applications** and/or review process
 - Tenants need **moving stipends** and prompt **return of security deposits**
 - Tenants need **more information on their rights** and where to go for help
 - Assistance finding **new housing** for tenants should be provided by a third party
 - **Monitoring and enforcement** of requirements should not fall on tenants

Concepts for Tenant Relocation Assistance Policy

- Applies to applicants seeking **site plan approval** or **permits** for demolition or other work that would displace tenants of multifamily structures
- **Tenant Relocation Plan** – to be prepared by developer/property owner; sets out requirements, fees; enforceable document
 - Periodic reports submitted by developer/property owner to City on compliance with tenant relocation plan and requirements
- Establish formal method of **notifying Austin Energy** when displacements from a multifamily property will occur
- **Private right of action** for tenants to sue when requirements are not being met
- Notice to vacate for tenants – **180 days**

Concepts for Tenant Relocation Assistance Policy cont'd

- **Tenant Information Packet** – distributed to tenants, includes:
 - Project information and timeline
 - Description of relocation assistance available and information on where to go for help/more information
 - Information on how to remain in same school
 - When to expect security deposit; what to do if it is not received
 - Forms to claim relocation assistance benefits
 - Information on tenants' rights
- **Relocation and Moving Stipends** to income-eligible tenants

Concepts for Tenant Relocation Assistance Policy cont'd

- City contracts with **third party** organization to provide relocation assistance
 - Organization verifies income eligibility, handles relocation and moving payments, and finds comparable housing for eligible tenants
- **Flexible move-out dates** for tenants during 180-day notification period
- During 180-day period, mandatory **written notice** to prospective tenants at time of application
- **Prohibitions on intimidation** of tenants, neglecting to repair units to minimize numbers of households that would be entitled to relocation assistance

Tentative Schedule

- **February 10th:** Follow-up stakeholder meeting with all stakeholders to review and discuss draft provisions
- **February 10th:** City Council Housing & Community Development Committee – Briefing on tenant relocation assistance policy development
- **February 16th:** Codes and Ordinances Committee of the Planning Commission – Briefing on tenant relocation assistance policy development
- **February 20th:** Follow-up stakeholder meeting with tenants to review and discuss draft provisions
- **March 8th:** Community Development Commission – Presentation of Draft Recommendations
- **March 15th:** Codes and Ordinances Committee of the Planning Commission – Presentation of Draft Recommendations
- **March 22nd:** Planning Commission – Presentation of Draft Recommendations
- **April 13th:** City Council Housing & Community Development Committee – Presentation of Draft Recommendations
- **April 18th:** City Council Planning and Neighborhoods Committee – Presentation of Draft Recommendations
- **May 19th:** City Council – Presentation of Final Draft Recommendations

Questions/Discussion

Lauren Avioli, Planner III
City of Austin
Neighborhood Housing and Community Development
(512) 974-3141
lauren.avioli@austintexas.gov