

ORDINANCE NO. 20211014-088

APPROVE AN ORDINANCE AMENDING ORDINANCE NO. 20210729-119 TO EXTEND THE APPLICABILITY PERIOD AND EXPIRATION DATE IN ORDINANCE NO. 20200326-090, WHICH RELATES TO REQUIRING NOTICES OF PROPOSED EVICTION; AMENDING ORDINANCE NO. 20200326-090 TO MODIFY THE MINIMUM TIME PERIOD TO RESPOND TO A NOTICE OF PROPOSED EVICTION AND TO AMEND THE STATEMENT REQUIRED IN A NOTICE OF PROPOSED EVICTION; AND DECLARING AN EMERGENCY.

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

PART 1. FINDINGS.

- (1) On March 26, 2020, the City Council adopted Ordinance No. 20200326-090 (“Original Ordinance”), which requires a landlord to provide a notice of proposed eviction prior to a notice to vacate because of the COVID-19 pandemic.
- (2) On May 7, 2020, the City Council adopted Ordinance No. 20200507-056, which amended Part 2 (*Definitions*), Part 3 (*Applicability*), and Subsection (C) of Part 4 (*Requirements*) of the Original Ordinance.
- (3) Ordinance No. 20200507-056 amended the Original Ordinance’s applicability period to include August 24, 2020; and the expiration date to the 61st day after August 24, 2020.
- (4) Ordinance No. 20200729-115 amended the Original Ordinance’s applicability period to include September 30, 2020; and the expiration date to the 61st day after September 30, 2020.
- (5) Ordinance No. 20200917-106 amended the Original Ordinance’s applicability to include December 31, 2020; and the expiration date to the 61st day after December 31, 2020.
- (6) Ordinance No. 20201210-054 amended the Original Ordinance’s applicability to include March 5, 2021; and the expiration date to the 61st day after March 5, 2021.
- (7) Ordinance No. 20210304-099 amended the Original Ordinance’s applicability to include May 17, 2021; and the expiration date to the 61st day after May 17, 2021.

- (8) Ordinance No. 20210506-065 amended the Original Ordinance's applicability to include August 9, 2021; and the expiration date to the 61st day after August 9, 2021.
- (9) Ordinance No. 20210729-119 amended the Original Ordinance's applicability to include October 15, 2021; and the expiration date to the 61st day after October 15, 2021.

PART 2. The City Council amends Part 2 of Ordinance No. 20210729-119 to amend the applicability period to read as follows:

PART 3. APPLICABILITY. This ordinance applies to a landlord who may evict an impacted tenant because of delinquent payments that occur beginning on March 26, 2020 and ending on December 31, 2021 [~~October 15, 2021~~].

PART 3. The City Council amends Part 3 of Ordinance No. 20210729-119 to amend the expiration date to read as follows:

PART 8. This ordinance expires the 28th [~~61st~~] day after December 31, 2021 [~~October 15, 2021~~].

PART 4. The City Council amends Part 4 of Ordinance No. 20200326-090 to amend Subsection (D), which is the minimum time period to respond to a notice of proposed eviction, to read as follows:

(D) The minimum time period described in Subsection (B)(3) is:

- (1) 45 days for a notice of proposed eviction given between November 1, 2021 and November 30, 2021; and
- (2) 28 [~~60~~] days for a notice of proposed eviction given on or after December 1, 2021.

PART 5. The City Council amends Part 4 of Ordinance No. 20200326-090 to amend Subsection (E) to modify the statement required for a notice of proposed eviction to read as follows:

(E) The statement must:

- (1) be in 16-point font, bold typeface, and underlined;
- (2) be placed at the top of the first page of the notice of proposed eviction; and

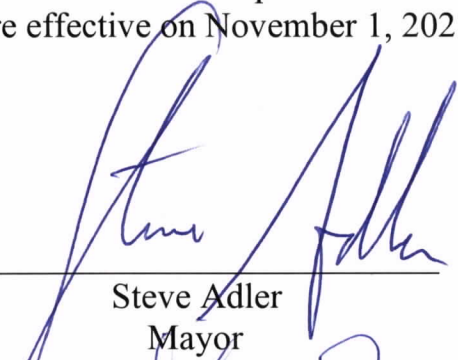
(3) include the following text: include the following text: “A NOTICE OF PROPOSED EVICTION AND OPPORTUNITY TO PAY TO AVOID EVICTION – THIS NOTICE DOES NOT EXCUSE YOUR OBLIGATION TO PAY. YOU DO NOT HAVE TO MOVE WHEN YOU GET THIS NOTICE. YOU MAY QUALIFY FOR RENTAL ASSISTANCE. YOU CAN CONTACT THE CITY OF AUSTIN AT (512) 488-1397 OR THE STATE OF TEXAS AT 1-833-989-7368 TO LEARN MORE. UNA NOTIFICACIÓN DE POTENCIAL DESALOJO Y DE OPORTUNIDAD PARA EFECTUAR EL PAGO Y EVITAR SU DESALOJO. ESTA NOTIFICACIÓN NO LO LIBERA DE SU OBLIGACIÓN DE CUMPLIR CON EL PAGO. NO ES NECESARIO MUDARSE AL RECIBIR ESTA NOTIFICACIÓN. PUEDE CALIFICAR PARA RECIBIR ASISTENCIA DE ALQUILER. PARA MÁS INFORMACIÓN PUEDE COMUNICARSE CON LA CIUDAD DE AUSTIN AL TELÉFONO (512) 488-1397, O EL ESTADO DE TEXAS AL 1-833-989-7368.”

PART 6. The COVID-19 pandemic, the delta variant, and related emergency declarations and orders continue to impact the operation of various businesses, which jeopardizes a household's or business' ability to maintain housing and business operations and constitutes an emergency. Because of this emergency, Parts 1, 2, and 3 of this ordinance take effect the day following publication for the preservation of the public peace, health, and safety. Parts 4 and 5 are effective on November 1, 2021.

PASSED AND APPROVED

October 14, 2021

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Steve Adler
Mayor

APPROVED:


Anne L. Morgan
City Attorney

ATTEST:


Jannette S. Goodall
City Clerk