RESOLUTION NO.

WHEREAS, half a million Austinites are renters, and they deserve more rights and protections; and

WHEREAS, as rent and cost of living continues to increase, affordable housing is more difficult to find and displacement and evictions are more likely to occur; and

WHEREAS, over 40 states have statutes that provide protection against evictions and eviction prevention by giving tenants an opportunity to cure or remedy issues that have led to their evictions, such as nonpayment of rent, lease violations, or repairs; and

WHEREAS, the Austin City Council enacted an ordinance protecting renters against eviction by providing tenants an opportunity to cure in 2020-2021 due to the COVID-19 pandemic; and

WHEREAS, providing an opportunity to cure helps prevent eviction filings, displacement, and homelessness while still ensuring outstanding rent is paid; and

WHEREAS, housing stability and eviction prevention is necessary for a family’s health and economic stability; NOW, THEREFORE,

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

The City Manager is directed to prepare an eviction prevention code amendment. The code amendment shall require a residential landlord to provide a notice of proposed eviction to tenants before providing a notice to vacate, thereby providing a renter adequate time to prevent an eviction. The notice shall allow tenants to respond and cure the issues to prevent an eviction, such as nonpayment
of rent and lease violations unrelated to imminent threats of physical harm or
violent criminal activity. The notice shall be in English and Spanish.

BE IT FURTHER RESOLVED:

The City Manager is directed to engage the Austin Apartment Association,
the Austin Board of Realtors, Ending Community Homelessness Coalition, Texas
RioGrande Legal Aid, Building and Strengthening Tenant Action, and Austin
Tenants Council to determine the number of days required before providing a
notice to vacate. The ordinance should reflect renters’ rights allowed in other cities
and states, which typically allow for a cure period of between 7 days and 30 days.

BE IT FURTHER RESOLVED:

The City Manager shall also consider provisions that require a longer period
for tenants to respond for instances where the City is under certain kinds of disaster
declarations.

BE IT FURTHER RESOLVED:

The City Manager is directed to provide Council a recommended ordinance
for consideration on a Council agenda by March 24, 2022. The City Manager is
directed to prepare a form notice to be adopted by rule. The form notice should
include tenant resources and be adaptable and easy to use.

ADOPTED: ____________, 2022  ATTEST: ________________
Myrna Rios
City Clerk