

1 **RESOLUTION NO.**

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

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

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

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

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

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

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

19 The City Manager is directed to prepare an eviction prevention code
20 amendment. The code amendment shall require a residential landlord to provide a
21 notice of proposed eviction to tenants before providing a notice to vacate, thereby
22 providing a renter adequate time to prevent an eviction. The notice shall allow
23 tenants to respond and cure the issues to prevent an eviction, such as nonpayment

24 of rent and lease violations unrelated to imminent threats of physical harm or
25 violent criminal activity. The notice shall be in English and Spanish.

26 **BE IT FURTHER RESOLVED:**

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

33 **BE IT FURTHER RESOLVED:**

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

37 **BE IT FURTHER RESOLVED:**

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

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43 **ADOPTED:** _____, 2022 **ATTEST:** _____

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Myrna Rios
City Clerk