The City Council will hold its regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at the above referenced date and time for the following items. Once convened, the City Council will take up the following items in any order during the meeting but no sooner than the designated times.

9:00AM: Call to Order

Members of the public can comment on items on the agenda. To sign up to speak visit www.saspeakup.com. Click on meetings and events and select the meeting you’d like to participate in. Sign up to speak or submit a written comment. Questions relating to these rules may be directed to the Office of the City Clerk at (210) 207-7253.

Individuals signing up for public comment may register for VIA bus fare or parking validation at www.saspeakup.com. VIA bus fare or parking at City Tower Garage (located at 100 Blk N. Main) will be provided to individuals who request the assistance. Staff will provide VIA bus fare passes and parking validation tickets in the lobby of City Council Chambers.

To view the Live meeting please view our Live Stream

During the meeting, the City Council may meet in executive session for consultation with the City Attorney's Office concerning attorney-client matters under Chapter 551 of the Texas
ACCESS STATEMENT

The City of San Antonio ensures meaningful access to City meetings, programs and services by reasonably providing: translation and interpretation, materials in alternate formats, and other accommodations upon request. To request these services call (210) 207-2098 or Relay Texas 711 or by requesting these services online at https://www.sanantonio.gov/gpa/LanguageServices. Providing at least 72 hours’ notice will help to ensure availability.

Intérpretes en español estarán disponibles durante la junta del consejo de la ciudad para los asistentes que lo requieran. También se proveerán intérpretes para los ciudadanos que deseen exponer su punto de vista al consejo de la ciudad. Para más información, llame al (210) 207-7253.

For additional information on any item on this agenda, please visit www.sanantonio.gov or call (210) 207-7080.

4. Resolution supporting the rights of tenants to live in safe, decent and quality housing; to live free of retaliation and discrimination, and to exercise their rights under local, state, and federal laws to ensure the health and safety of tenants in the City of San Antonio in furtherance of the goals of the City's Strategic Housing Implementation Plan; and approving revisions to the City's Notice of Tenants' Rights. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood & Housing Services Department]

THE CITY COUNCIL MAY RECESS FOR LUNCH AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS

6:00 P.M. – If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.

Posted on: 05/04/2023 08:59 AM
Agenda Item Number: 4

Agenda Date: May 4, 2023

In Control: City Council A Session

DEPARTMENT: Neighborhood and Housing Services

DEPARTMENT HEAD: Veronica Garcia, Director

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Resolution Supporting Tenants’ Rights and approving revisions to the City’s Notice of Tenant Rights

SUMMARY:

Consideration of a resolution supporting tenants’ rights and authorizing revisions to the City’s Notice of Tenant Rights.

BACKGROUND INFORMATION:

On December 16, 2021, City Council adopted the Strategic Housing Implementation Plan (SHIP). The SHIP is a cross organizational plan for the next 10 years of housing work in our community. It organizes 36 strategies under 5 overarching goals. Two of the goals include Ensure Accountability to the Public and Protect & Promote Neighborhoods. Both goals include strategies to increase awareness of Fair Housing laws and tenant’s rights.

Most of the tenant protections laws reside within the Texas Property Code, the Texas Local Government Code, and the Federal Fair Housing Act. The City has also created local programs through the adoption of the Notice of Tenants Rights Ordinance in June 2020, the adoption of the Housing Voucher Incentive Policy in May 2021, and the Proactive Apartment Inspection Program.
in March 2023. Combined, these laws and policies support necessary protections so tenants may live in safe, decent, and quality housing without fear of retaliation and discrimination.

There is not an official document, however, that identifies all the existing tenant protections (local, state, and federal) for our community and where to get more information or report potential violations. As part of a Tenants’ Rights Awareness Campaign, a Resolution has been drafted to help fulfill the SHIP strategies related to increasing awareness of tenants’ rights and Fair Housing laws.

ISSUE:

Implementing SHIP strategies related to tenants’ rights and Fair Housing awareness includes three key steps as part of the campaign: (1) Consideration of a resolution supporting the rights of tenants to live in safe, decent, and quality housing that is free of retaliation and discrimination through the local, state, and federal fair housing laws; (2) the development of educational materials that clearly identify the protection provided by each law, who to contact if the protection is violated, and where to go for additional assistance; and (3) the development of a more reader friendly Notice of Tenants’ Rights.

Staff engaged the Planning & Community Development Committee (PCDC), Housing Commission and relevant sub-committees, and other stakeholders in its review of the proposed Resolution, the revised Notice of Tenants’ Rights, and a Resource Guide to raise awareness and help explain tenants’ rights and responsibilities.

In support of these educational efforts, staff also co-hosted 5 “Renters Rights Power Hour” sessions in partnership with the Fair Housing Council of Greater San Antonio and Texas RioGrande Legal Aide from March 30 to April 19, along with a survey on SASpeakUP, to allow the public to provide additional comments and feedback.

ALTERNATIVES:

City Council may deny the proposed resolution or recommend edits to this document.

FISCAL IMPACT:

There is no fiscal impact at this time.

RECOMMENDATION:

Staff recommends approval of the proposed resolution supporting tenants’ rights.
RESOLUTION

SUPPORTING THE RIGHTS OF TENANTS TO LIVE IN SAFE, DECENT, AND QUALITY HOUSING; TO LIVE FREE OF RETALIATION AND DISCRIMINATION, AND TO EXERCISE THEIR RIGHTS UNDER LOCAL, STATE, AND FEDERAL LAWS TO ENSURE THE HEALTH AND SAFETY OF TENANTS IN THE CITY OF SAN ANTONIO IN FURTHERANCE OF THE GOALS OF THE CITY’S STRATEGIC HOUSING IMPLEMENTATION PLAN.

* * * * *
WHEREAS, the City of San Antonio recognizes that adequate housing is fundamental to an individual or family’s ability to live in stability, dignity, and good health; and

WHEREAS, the cornerstone of the City’s affordable housing initiatives is the adoption of the Strategic Housing Implementation Plan (SHIP) on December 16, 2021, which, among other aspirations, seeks to ensure accountability to the public and protect & promote neighborhoods by developing a public information campaign on Fair Housing Laws and increasing awareness of tenant rights; and

WHEREAS, the City of San Antonio supports the rights of tenants to be provided clear and accurate information pertaining to tenants’ rights under the City’s Notice of Tenants Rights ordinance and to pursue action under the federal and Texas Fair Housing Acts, the federal Violence Against Women Act, the Texas Property Code, the City’s Non-Discrimination Ordinance, and the City’s Property Maintenance Code to ensure their right to quality housing is protected; and

WHEREAS, on March 23, 2022 the City of San Antonio approved a Proactive Apartment Inspection Program to ensure the health and safety of renters at qualifying properties with certain code-related issues; and

WHEREAS, on August 20, 2020 the City of San Antonio approved a resolution that declared racism a public health crisis, which, among other efforts, includes a commitment to advancing racial equity by mitigating housing displacement that may arise from racial segregation; and

WHEREAS, the City of San Antonio acknowledges that San Antonio community members speak many languages besides English;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City of San Antonio supports the rights of tenants to live with dignity and in safe, quality, and affordable housing and will continue its efforts to expand the availability of affordable housing across a broad spectrum of initiatives and programs.

SECTION 2. The City of San Antonio supports the ability of tenants to exercise their rights under section 92.331 of the Texas Property Code to be free from retaliation from landlords, which includes the right to organize and establish or participate in a tenant organization.
SECTION 3. The City of San Antonio supports the rights of tenants to not be discriminated against based on their race, color, national origin, religion, sex, familial status, disability, marital status, sexual orientation, gender identity, being a survivor of domestic violence, sexual assault, or stalking under the federal and Texas Fair Housing Acts and the federal Violence Against Women Act.

SECTION 4. The City of San Antonio supports a tenant’s right to have safe and healthy living conditions as provided in section 92.056 of the Texas Property Code and that property owners are required to comply with the San Antonio Property Maintenance Code which outlines the minimum local standards for premises and structures, lighting, ventilation, space, heating, sanitation, protection from the elements, fire, and other hazard safety, to protect the public health, welfare, and safety of residents. The City also supports the Landlord and Tenant Remedies outlined in this section of the Texas Property Code and supports tenant access to legal aid to understand how to properly pursue these remedies.

SECTION 5. The City of San Antonio supports the protections in section 92.103 of the Texas Property Code that prohibits landlords to wrongfully withhold a tenants’ personal property or security deposit.

SECTION 6. The City of San Antonio recognizes the importance of section 92.024 in the Texas Property Code that requires landlords to provide a copy of the lease including leases that are renewed.

SECTION 7. The City of San Antonio supports the rights of tenants to be provided clear and accurate information pertaining to a tenant’s rights under the City’s Notice of Tenants’ Rights Ordinance.

SECTION 8. The City of San Antonio supports the rights of veterans and others who receive federal housing assistance to have equal access to housing options from housing providers that receive taxpayer funded assistance and incentives, as reflected in the City of San Antonio’s Housing Voucher Incentive Policy.

SECTION 9. The City of San Antonio supports the protections in Title VI of the Civil Rights Act which ensures that people with Limited English Proficiency, who are either living in, or seeking housing in certain federally funded developments, have access to appropriate translations or interpretations of all vital housing documents that ensure meaningful access.

SECTION 10. The City Council resolves that public awareness of the rights identified herein is critical to the effectiveness of the City’s Strategic Housing Implementation Plan, as lack of awareness of these rights adds to the barriers to the ability of renters to find and live in housing that is safe, decent, and affordable.

PASSED and APPROVED on the _____ day of ______, 2023.

M A Y O R

Ron Nirenberg

ATTEST: APPROVED AS TO FORM:

__________________________________________________________  ______________________________________________
Debbie Racca-Sittre, City Clerk Andrew Segovia, City Attorney
NOTICE OF TENANTS’ RIGHTS

Your rental housing provider is required by the City of San Antonio to provide you a copy of this notice when you are issued a Notice to Vacate for Non-Payment of Rent. If you have a question or need to report a possible violation, contact the City’s Code Enforcement Division by calling 311.

You should know:

A Notice to Vacate is not an eviction.

It is only the first step in the eviction process and does not mean you must move out immediately. You still have time to resolve the issue. You do not need to leave your dwelling right now and should not move without talking to your rental housing provider first.

There are resources to help.

Scan the QR code with a smart phone or visit www.sa.gov/nhsd to access the City’s website for more tenants’ rights and resources information.

Steps you can take now:

Contact your rental housing provider right away to try to work out a payment arrangement.

Payment arrangements should be in writing and signed by both you and your rental housing provider.

Seek out financial assistance to help cover your rent.

If you are having trouble paying rent, there may be assistance available through nonprofits or government programs. A few options are below:

City of San Antonio: www.sa.gov/nhsd or call 210-207-5910
Texas Rent Relief: www.texasrentrelief.com or call 833-989-7368
San Antonio Community Resource Directory: www.sacrd.org/directory/

If you have questions about your rights or need legal assistance, seek out help.

City of San Antonio, Fair Housing Team: www.sa.gov/nhsd or call 210-207-5309
City of San Antonio, Right to Counsel Program, administered by Texas RioGrande Legal Aid: RightToCounsel@trla.org or call 210-212-3703

What can happen after you receive a Notice to Vacate?

After the Notice to Vacate has been delivered, the rental housing provider may file a suit in a Justice Court. The Justice Court will set a date for the hearing which is usually within 21 days of the filing in a court. The Court will notify you in writing of the date you must appear. You are encouraged to appear at the hearing and defend your rights. If you work out an agreement with your rental housing provider before the eviction hearing begins, show the court the agreement. The rental housing provider will usually dismiss the case if you pay everything due before the hearing. If not, the court will hear the case and issue a decision. If you do not appear, a judge may conclude that you do not oppose the eviction and issue judgment for the rental housing provider. You have the right to appeal. If you do not move or file an appeal within five days after the hearing, the rental housing provider can request a Writ of Possession from the Court. A 24-hour notice will be posted on your door before the Writ of Possession is carried out by removing you and your personal belongings from your residence.

Remember that you have options and there are people who can help you.

It is a good idea to communicate with your rental housing provider during the entire process to work out an agreement.

Name of Resident____________________________        Date of Delivery________________
Address/Unit_______________________________________

Last revised: May 4th, 2023
Resolution Supporting Tenants’ Rights
City Council A Session, May 4, 2023
Veronica Gonzalez, Assistant Director
How Does This Relate to the SHIP?

EAP 2: Implement Public Information Campaigns on Housing
Implement a citywide public awareness campaign on Fair Housing Laws and the importance of affordable housing including its economic and social benefits.

PPN 5: System-wide Eviction and Foreclosure Prevention
Increase awareness of rights through proactive education, responsive coordinated outreach and services, increased tenant protections, and accountability.
Tenants’ Rights Awareness Campaign

Three elements:

Resolution supporting tenants' rights to:
• Live in safe, decent, quality housing
• Live free of retaliation and discrimination
• Exercise their right under local, state, and federal fair housing laws

Educational Materials:
• Identify protection provided by each law
• Tenant Responsibilities
• Contact for violations
• Assistance resources

Notice of Tenants Rights:
• Improve readability
Resolution on Tenants’ Rights

Consolidates & affirms local, state, and federal tenant protections

<table>
<thead>
<tr>
<th>Local</th>
<th>State</th>
<th>Federal</th>
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<tbody>
<tr>
<td>• Housing Voucher Incentive Policy</td>
<td>• Texas Local Government Code</td>
<td>• Fair Housing Act</td>
</tr>
<tr>
<td>• Notice of Tenants’ Rights Ordinance</td>
<td>• Texas Property Code</td>
<td>• Violence Against Women Act</td>
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</table>
| • San Antonio Property Maintenance Code  
  o Proactive Apartment Inspection Ordinance | • Texas Fair Housing Act | • Title VI of Civil Rights Act |
| • Non-discrimination ordinance | | |
Stakeholder Engagement

Met with a variety of stakeholder groups:

- Housing Groups
- Industry Stakeholders
- Tenant Advocacy Organizations
- Legal Aid Organizations
- Rental Home Providers
- Community-based Nonprofits
Renters’ Rights
Power Hour Sessions

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
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<tbody>
<tr>
<td>Thursday, March 30</td>
<td>Baskin Elementary</td>
</tr>
<tr>
<td>Wednesday, April 5</td>
<td>Mission Library</td>
</tr>
<tr>
<td>Thursday, April 13</td>
<td>2nd Baptist Church</td>
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<tr>
<td>Saturday, April 15</td>
<td>Maverick Library</td>
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<tr>
<td>Wednesday, April 19</td>
<td>Walker Ranch Senior Center</td>
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- Code Enforcement, TRLA, Fair Housing Council, and NHSD Housing Stability Teams present at each event

April 5th Renters' Rights Power Hour Session at Mission Library hosted by Fair Housing Council of Greater San Antonio
Summary of Key Themes

- Right to be free of retaliation or discrimination
- Right to organize
- Preferred Language Access
- Notice of Tenant’s Rights – delivery stage, compliance, enforcement

- Education for renters and rental housing providers on legal obligations, responsibilities, and processes
- Access to resources and contact information
- User-friendly literature, digital content, and attractive visuals
 Updates

Resolution

• Addition of Proactive Apartment Inspection Ordinance and Title VI of Civil Rights Act
• Protections addressing retaliation and right to organize

Educational Materials

• Informational documents on tenants’ rights and resources

Notice of Tenants’ Rights

• QR Code
• Updated to make it more reader-friendly
Campaign Deliverables

This is a draft and will be replaced by the final signed ordinance or resolution adopted by the City Council.

Resolution

Supporting the rights of tenants to live in safe, decent, and quality housing, to live free of retaliation and discrimination, and to exercise their rights under local, state, and federal laws to ensure the health and safety of tenants in the City of San Antonio in furtherance of the goals of the City’s Strategic Housing Implementation Plan.

WHEREAS, the City of San Antonio recognizes that affordable housing is fundamental to an individual or family’s ability to live in stability, dignity, and good health; and

WHEREAS, the cornerstone of the City’s affordable housing initiatives is the adoption of the Strategic Housing Implementation Plan (SHIP) on December 20, 2021, which, among other actions, seeks to ensure accessibility to the public and promote & improve homeownership by developing a public information campaign on Fair Housing Law and increasing awareness of tenant rights; and

WHEREAS, the City of San Antonio supports the rights of tenants to provide clear and accurate information pertaining to tenant rights under the City’s Housing and Tenant’s Rights Ordinance and to pursue action under the State of Texas Fair Housing Act, the Federal Violence Against Women Act, the Texas Property Code, the City’s Non-Discrimination Ordinance, and the City’s Property Maintenance Code to ensure their rights and quality housing is protected; and

WHEREAS, on March 22, 2022, the City of San Antonio approved a Proactive Apartment Inspection Program to ensure the health and safety of tenants by ensuring properties with certain code-related issues are inspected;

WHEREAS, as of August 20, 2022, the City of San Antonio approved a resolution that declared racism a public health crisis, which, among other efforts, includes a commitment to advancing racial equity by mitigating housing displacement that may arise from segregation; and

WHEREAS, the City of San Antonio acknowledges that San Antonio community members speak many languages different from English;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

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SECTION 2. The City of San Antonio supports the ability of tenants to exercise their rights under section 92.331 of the Texas Property Code to be free from retaliation from landlords, which includes the right to establish or participate in a tenant organization.

Rights, Responsibilities, & Resources as a Renter

Local, state, and federal protections exist for renters. Learn more at 84.gov/TenantRights or scan the QR code below.

If you are a renter, you may contact your rental housing provider to request a copy of the Notice of Tenant Rights within 1 day of the date they issue a Notice to Vacate.

If your rental housing provider is not responding to your request, you may contact the City of San Antonio at 311.

If you are a renter, you may contact the City of San Antonio at 311.

Notice of Tenants' Rights

Your rental housing provider is required by the City of San Antonio to provide you a copy of this notice when you are issued a Notice to Vacate for Non-Payment of Rent. If you have a question or need to report a possible violation, contact the City’s Code Enforcement Division at 311.

You should know:

A Notice to Vacate is not an eviction. It is only the first step in the eviction process and does not mean you must move out immediately. You will have time to respond to the notice. You do not need to move unless you are requested to do so.

Steps you can take now:

Contact your rental housing provider to try to work out a payment arrangement. Payment arrangements should be in writing and signed by you and your rental housing provider.

Seek out financial assistance to help cover your rent. If you are having trouble paying your rent, there may be assistance available through non-profit or government programs. A few options are below.

If you have questions about your rights or need legal assistance, seek out help. City of San Antonio, Fair Housing Team, 84.gov/FairHousing or call 210-207-0919.

What can happen after you receive a Notice to Vacate?

After the Notice to Vacate has been delivered, the rental housing provider may file suit in a Justices Court. The Justices Court will set a date for the hearing which is usually within 21 days of the filing in a suit. The Court will notify you in writing of the date that you must appear. You are encouraged to appear at the hearing and defend your rights. If you work out an agreement with your rental housing provider before the eviction hearing begins, show this agreement to the Court.

The rental housing provider will usually deduct the cost of your rent from your deposit before the hearing. The tenant must present evidence to the Court of your right to use the deposit. If you do not appear or if an appeal is filed within five days after the hearing, the rental housing provider can request a Writ of Possession from the Court. A notice will be posted on your door before the Writ of Possession is filed to notify you of your right to request a hearing.

Remember that you have options and there are people who can help you. It is a good idea to communicate with your rental housing provider during the entire process to work out an agreement.

Name of Resident: __________________ Date of Delivery: _____________
Address/Unit: __________________

Last revised: May 6, 2023
Continued Engagement

Partners to distribute educational materials
- Texas Housers, Texas Organizing Project (TOP), and other community partners
- Libraries, Community & Senior Centers, Municipal Courts, School Districts
- Code Enforcement

Educational Outreach
- Rental Housing Providers & Tenants
- Email blast to residents who received rental assistance

NHSD Website Update
- Resources in English and Spanish
Timeline

Feb 23
• PCDC Briefing

March 2 - 8
• Housing Commission Subcommittee Briefings
  - Renters Solutions
  - Public Engagement & Outreach

March 22
• Housing Commission Briefing

April
• Stakeholder Input
• Public Meetings

April 26 - 27
• Housing Commission
• PCDC

May 4
• City Council Consideration
Recommendation

- Staff recommends approval of the Resolution supporting Tenants’ Rights
Item 4

Resolution Supporting Tenants’ Rights

City Council A Session, May 4, 2023

Veronica Gonzalez, Assistant Director

Neighborhood & Housing Services Department