

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.

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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 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 that was adopted in June of 2020.

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