

# City of San Antonio



## AGENDA PACKET

### Planning and Community Development Committee

City Hall Complex  
San Antonio, Texas 78205

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**Thursday, February 23, 2023**

**10:00 AM**

**City Hall**

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The Planning and Community Development Committee will hold its regular meeting in Council Briefing Room at City Hall beginning at 10:00 AM. Once convened, the Planning and Community Development Committee will take up the following items no sooner than the designated times.

Members of the public can comment on items on the agenda. To sign up to speak visit [www.saspeakup.com](http://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.

Once a quorum is established, the Planning and Community Development Committee shall consider the following:

3. Briefing on the City's Fair Housing & Tenants' Rights Awareness Campaign [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

At any time during the meeting, the Planning and Community Development Committee may meet in executive session for consultation with the City Attorney's Office concerning attorney client matters under Chapter 551 of the Texas Government Code.

#### **DISABILITY ACCESS STATEMENT**

**This meeting site is wheelchair accessible. Aids and Services, including Deaf interpreters, must be requested forty-eight [48] hours prior to the meeting.**

**For assistance, call (210) 207-7268 or 711 Texas Relay Service for the Deaf.**

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

**Planning and Community Development Committee**

**Adriana Rocha Garcia, Dist. 4, Chair**

**Phyllis Viagran, Dist. 3 | Teri Castillo, Dist. 5**

**Ana Sandoval, Dist. 7 | John Courage, Dist. 9**

**\* Other members of City Council may attend to observe, but not vote, on matters before the Committee.**

Posted on: 12/14/2024 02:40 PM



CITY OF SAN ANTONIO  
**NEIGHBORHOOD & HOUSING  
SERVICES DEPARTMENT**

February 23, 2023

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## **Item #3: Briefing on the City's Fair Housing & Tenants' Rights Awareness Campaign**

Planning & Community Development Committee

Veronica Garcia, Director, NHSD

Andy Segovia, City Attorney

# SHIP Strategies

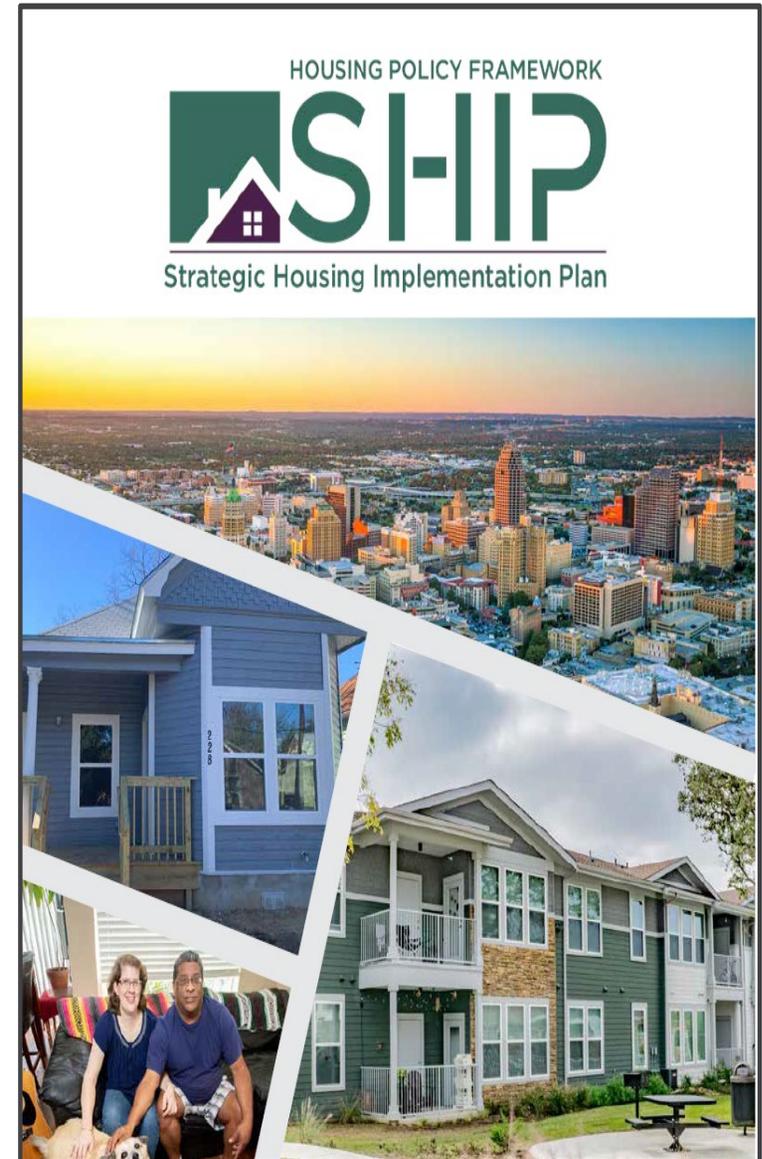


## EAP 2: Implement Public Information Campaigns on Housing

- *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.*



# Fair Housing & 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
- Contact for violations
- Assistance resources

## Notice of Tenants Rights:

- Improve readability

# 88<sup>th</sup> TX State Legislative Agenda



- Support legislation that empowers local governments to remove barriers to housing for low-income families and increase the local affordable housing stock.
- Oppose legislation that is discriminatory and/or undermines the City's Non-Discrimination Ordinance.

# Notice of Tenants' Rights



- Ordinance 2020-06-25-045 adopted June 2020
- Must be attached to every Notice to Vacate for Non-Payment of Rent issued within San Antonio City Limits
- Encourages dialogue and highlights financial assistance resources
- English and Spanish

## Your Rights & Resources After Receiving a Notice to Vacate For Non Payment of Rent

The City of San Antonio requires that we deliver this information to you.

### You should know:

- The 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 landlord first.
- Learn more about your rights & next steps. Refer to this self-help legal information provided by Bexar County:  
<https://www.bexar.org/DocumentCenter/View/22568/Self-Help-Legal-Information-Packet-When-an-Eviction-Case-Has-Been-Filed-Against-You-PDF>

### Steps you can take now:

- Contact your landlord right away to try to work out a payment arrangement. Payment arrangements should be in writing and signed by both you and your landlord.
- There is help. If you need help, there are resources available to you:
  - Questions about your rights and resources: Please call 210-207-5910 (City of San Antonio)
  - Help with paying rent, utilities, fees and, if needed, moving costs:
    - i. City of San Antonio: Call 210-207-5910 or visit: [www.sanantonio.gov/emergencyhousingassistance](http://www.sanantonio.gov/emergencyhousingassistance)
    - ii. Guadalupe Community Center: Call 210-228-6178

Funding for rental and utility assistance is limited.

### What can happen after you receive a Notice to Vacate?

After the Notice to Vacate has been delivered, the landlord 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. The Court will notify you in writing of the date you must appear.

You may appear at the hearing and defend your rights. 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 landlord. You have the right to appeal.

If you can work out an agreement with your landlord before the eviction hearing begins, show the court the agreement. The landlord will usually dismiss the case if you pay everything due before the hearing.

If you do not move or file an appeal within five days the hearing, the landlord 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 landlord during the entire process to work out an agreement. There are City, County, or community services designed to help.

Name of Resident: \_\_\_\_\_

Address/Unit: \_\_\_\_\_

Date of Delivery: \_\_\_\_\_

Manner of Delivery: \_\_\_\_\_

# Tenants' Rights Resolution



Consolidates & affirms local, state, and federal tenant protections

## Local

- Housing Voucher Incentive Policy
- Notice of Tenants' Rights Ordinance
- San Antonio Property Maintenance Code
- Non-discrimination ordinance

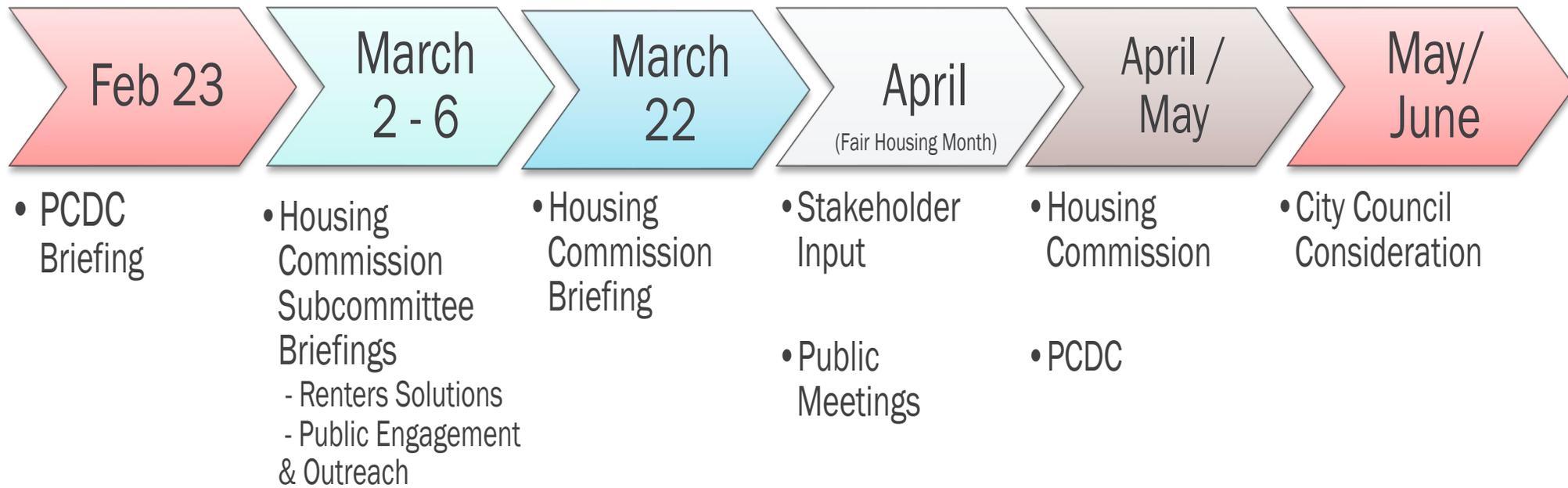
## State

- Texas Local Government Code
- Texas Property Code
- Texas Fair Housing Act

## Federal

- Fair Housing Act
- Violence Against Women Act

# Proposed Timeline





CITY OF SAN ANTONIO  
**NEIGHBORHOOD & HOUSING  
SERVICES DEPARTMENT**

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## **Item #3: Briefing on the City's Fair Housing & Tenants' Rights Awareness Campaign**

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# Tenant Bill of Rights Resolution & Notice of Tenants' Rights Revision

Neighborhood & Housing Services Department | February 15, 2023

## Background

The Neighborhood & Housing Services Department and City Attorney's Office will collaborate on the development of a Resolution affirming the rights of tenants in San Antonio, and revising the Notice of Tenants' Rights document, adopted by City Council in June 2020.

## Proposed Timeline

|                   | Target Date                        | Event  | Notes  |
|-------------------|------------------------------------|--|--|
|                   | February 23 <sup>rd</sup>          | PCDC   | Briefing only  |
| Public Engagement | March 2 <sup>nd</sup>              | Renter Solutions' Subcommittee of Housing Commission (HC)  | Public Input   |
|                   | Week of March 6 <sup>th</sup>      | Public Engagement & Outreach Subcommittee of HC  | Design public engagement process and target stakeholders   |
|                   | March 22 <sup>nd</sup>             | Housing Commission   | Briefing only  |
|                   | April<br><i>Fair Housing Month</i> | <i>Stakeholder Input:<br/>Public meeting + targeted meetings with SAAA, SABOR, Texas Housers, CHDOs, Neighborhood Associations, etc.</i> | Extra promotion of Know Your Rights Trainings. Cohost Know Your Rights and public input session. |
|                   | April/May                          | Housing Commission and PCDC  | Debrief public input, revised documents, and collect final HC input and PCDC input               |
|                   | May/June                           | City Council   | Consideration of the resolution and revisions to the NOTR  |

**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 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 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, and the City's Property Maintenance Code to ensure their right to quality housing is protected.

**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.

**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 victim of domestic violence, sexual assault or stalking under the federal and Texas Fair Housing Acts and the federal Violence Against Women Act.

JYW

\_\_\_/\_\_\_/2023

Item No.

**SECTION 4.** The City of San Antonio supports a tenants' 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 that provides the ability for tenants to deduct repairs from the rent if specific requirements are met.

**SECTION 5.** The City of San Antonio supports the protections is 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 that was adopted in June of 2020.

**Section 8.** The City of San Antonio is Military USA and supports veterans to have access to affordable housing without discrimination by landlords based on their source of income as recognized by Texas Local Government Code, Sec. 250.007 (b).

**SECTION 9.** 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