

TENANT RELOCATION ASSISTANCE

Community Development Commission
March 8, 2016

Background

- 2012 City Council resolution: develop recommendations on relocation standards and their implementation
- May 20, 2013: Neighborhood Housing & Community Development submit memo of recommendations to City Council
 - Incorporated feedback from stakeholders and recommendations from University of Texas Law School's Community Development Clinic

Resolution 20151112-027 (Nov. 12, 2015)

- Initiates amendments to the Land Development Code to establish relocation assistance requirements for applicants of developments with the intent to demolish and/or renovate multi-family structures that will result in the displacement of tenants
- Consider temporary and emergency relocation standards as well
- Stakeholder feedback process to identify the needs of the community and to ensure the ordinance that is ultimately drafted is responsive to them
- The goal is to mitigate the negative impacts of displacement on the most vulnerable residents

Purpose

- Currently, no comprehensive formal policy for assisting displaced tenants
- Redevelopment of several multifamily properties has resulted in tenant displacement over the last several years
- Displacement can have destabilizing effects on the most vulnerable in our city, including elderly, low-income, or disabled households

Participating Stakeholder Groups

- Tenants who have experienced displacement in Austin
- Representatives from:
 - Austin Tenants' Council
 - Ladies of Charity of Austin
 - Texas Rio Grande Legal Aid
 - HousingWorks Austin
 - Austin Apartment Association
 - Austin Board of Realtors
 - Real Estate Council of Austin
 - Austin Independent School District
 - Housing Authority of the City of Austin
 - City of Austin - Code, Health & Human Services, Development Services, Austin Energy

Stakeholder Input

- 3 stakeholder meetings have been held
- Tenants who had been displaced around Austin shared their experiences and discussed their biggest challenges
- Tenant advocates and representatives from the development community discussed ways the development process could address these challenges
- Draft policy concepts are being reviewed and refined with several City of Austin departments

Proposed Solutions to Identified Challenges

Challenge	Proposed Policy Solution
Moving expenses are costly and difficult to pay	Moving and relocation assistance for income-eligible tenants
Difficult to find affordable new housing, requiring a long time to find a suitable new home	One-on-one relocation assistance from a 3 rd party organization
Made harder by insufficient notice to vacate	180-day notice of intent to tenants 90-day notice to vacate/flexible move-out period
Moving often requires changing schools; this is difficult on children in the middle of the school year	Provide info to tenants about AISD's policy of letting students finish school year at same school, even if they move
Security deposits are not returned in a timely manner	Relocation and moving payments to help tenants cover relocation costs More information on tenant rights

Proposed Solutions to Identified Challenges

Challenge	Proposed Policy Solution
Tenants often do not know where to go or how to navigate the relocation process	<p>Tenant Information Packet given to tenants with the notice to vacate, containing information on assistance, tenant rights, etc.</p> <p>Tenant meeting(s) to discuss info</p>
Some tenants need interpreting services	<p>Interpretation services for a variety of languages would be provided to tenants; all materials would be printed in English and Spanish</p>
Occupied units that will be demolished fall into disrepair and repairs are not made	<p>Enforce existing requirements for repairs to be made by owner/developer</p>
Tenants and property managers often experience antagonistic or ineffective interactions	<p>Relocation assistance would be provided by a 3rd party organization</p> <p>Tenant right of action to sue if requirements are violated</p> <p>Prohibitions on intimidation</p>

Additional Policy Recommendations

- Applicability
 - Permanent Displacement
 - Temporary Displacement
 - Emergency Displacement
 - Require applicants for site plans, demolition permits, building permits to disclose if work will displace tenants
 - Multifamily structures of 5 or more units
 - Other types of properties, such as mobile home parks?
- For projects accessing Planned Unit Development or density bonus programs, relocation assistance for eligible tenants would be funded by the applicant

Other Input from Stakeholders

- Require reasonable/shorter look-back periods when landlords deduct late fees from security deposits
- Require security deposits be returned immediately
- Shorter (60-day) notice to vacate to tenants
- City provides initial notice and information packet to tenants (rather than property owner/manager)
- Model assistance payments after FEMA guidelines
- Recommendation that requirements should cover natural disasters
- Advance notice of rent increases for properties that will be redeveloped

Schedule – Previous Meetings

- **January 13th**: Stakeholder meeting with tenants and tenant advocates
- **January 21st**: Stakeholder meeting with tenants, advocates, and representatives of the development community
- **February 9th**: Housing Committee of the Community Development Commission – Briefing
- **February 10th**: Follow-up stakeholder meeting with all stakeholders to review and discuss draft provisions
- **February 10th**: City Council Housing & Community Development Committee – Briefing
- **February 16th**: Codes and Ordinances Committee of the Planning Commission – Briefing
- **February 20th**: Follow-up stakeholder meeting with tenants to review and discuss draft provisions

Tentative Schedule – Upcoming Meetings

- **Tonight - March 8th**: Community Development Commission – Presentation of draft provisions
- **March 15th**: Codes and Ordinances Committee of the Planning Commission – Presentation of draft ordinance & recommendations
- **March 22nd**: Planning Commission – Presentation of draft ordinance & recommendations
- **April 13th**: City Council Housing & Community Development Committee – Presentation of draft ordinance & recommendations
- **May 19th**: City Council – Presentation of final draft ordinance & recommendations

Questions/Discussion

<http://austintexas.gov/page/tenant-relocation-assistance>

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