

**ORDINANCE NO.**

1 **APPROVE AN ORDINANCE AMENDING ORDINANCE NO. 20210729-119**  
2 **TO EXTEND THE APPLICABILITY PERIOD AND EXPIRATION DATE**  
3 **IN ORDINANCE NO. 20200326-090, WHICH RELATES TO REQUIRING**  
4 **NOTICES OF PROPOSED EVICTION; AMENDING ORDINANCE NO.**  
5 **20200326-090 TO MODIFY THE MINIMUM TIME PERIOD TO RESPOND**  
6 **TO A NOTICE OF PROPOSED EVICTION AND TO AMEND THE**  
7 **STATEMENT REQUIRED IN A NOTICE OF PROPOSED EVICTION;**  
8 **AND DECLARING AN EMERGENCY.**

9 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

10 **PART 1. FINDINGS.**

- 11 (1) On March 26, 2020, the City Council adopted Ordinance No.  
12 20200326-090 (“Original Ordinance”), which requires a landlord to  
13 provide a notice of proposed eviction prior to a notice to vacate  
14 because of the COVID-19 pandemic.
- 15 (2) On May 7, 2020, the City Council adopted Ordinance No. 20200507-  
16 056, which amended Part 2 (*Definitions*), Part 3 (*Applicability*), and  
17 Subsection (C) of Part 4 (*Requirements*) of the Original Ordinance.
- 18 (3) Ordinance No. 20200507-056 amended the Original Ordinance’s  
19 applicability period to include August 24, 2020; and the expiration  
20 date to the 61<sup>st</sup> day after August 24, 2020.
- 21 (4) Ordinance No. 20200729-115 amended the Original Ordinance’s  
22 applicability period to include September 30, 2020; and the expiration  
23 date to the 61<sup>st</sup> day after September 30, 2020.
- 24 (5) Ordinance No. 20200917-106 amended the Original Ordinance’s  
25 applicability to include December 31, 2020; and the expiration date to  
26 the 61<sup>st</sup> day after December 31, 2020.
- 27 (6) Ordinance No. 20201210-054 amended the Original Ordinance’s  
28 applicability to include March 5, 2021; and the expiration date to the  
29 61<sup>st</sup> day after March 5, 2021.

- 30 (7) Ordinance No. 20210304-099 amended the Original Ordinance’s  
31 applicability to include May 17, 2021; and the expiration date to the  
32 61<sup>st</sup> day after May 17, 2021.
- 33 (8) Ordinance No. 20210506-065 amended the Original Ordinance’s  
34 applicability to include August 9, 2021; and the expiration date to the  
35 61<sup>st</sup> day after August 9, 2021.
- 36 (9) Ordinance No. 20210729-119 amended the Original Ordinance’s  
37 applicability to include October 15, 2021; and the expiration date to  
38 the 61<sup>st</sup> day after October 15, 2021.

39 **PART 2.** The City Council amends Part 2 of Ordinance No. 20210729-119 to  
40 amend the applicability period to read as follows:

41 **PART 3. APPLICABILITY.** This ordinance applies to a landlord who may  
42 evict an impacted tenant because of delinquent payments that occur  
43 beginning on March 26, 2020 and ending on December 31, 2021 [~~October~~  
44 ~~15, 2021~~].

45 **PART 3.** The City Council amends Part 3 of Ordinance No. 20210729-119 to  
46 amend the expiration date to read as follows:

47 **PART 8.** This ordinance expires the 28<sup>th</sup> [~~61<sup>st</sup>~~] day after December 31, 2021  
48 [~~October 15, 2021~~].

49 **PART 4.** The City Council amends Part 4 of Ordinance No. 20200326-090 to  
50 amend Subsection (D), which is the minimum time period to respond to a notice of  
51 proposed eviction, to read as follows:

52 (D) The minimum time period described in Subsection (B)(3) is:

53 (1) 45 days for a notice of proposed eviction given between November  
54 1, 2021 and November 30, 2021; and

55 (2) 28 [~~60~~] days for a notice of proposed eviction given on or after  
56 December 1, 2021.

57 **PART 5.** The City Council amends Part 4 of Ordinance No. 20200326-090 to  
58 amend Subsection (E) to modify the statement required for a notice of proposed  
59 eviction to read as follows:

- 60 (E) The statement must:
- 61 (1) be in 16-point font, bold typeface, and underlined;
- 62 (2) be placed at the top of the first page of the notice of proposed  
63 eviction; and
- 64 (3) include the following text: include the following text: “A  
65 NOTICE OF PROPOSED EVICTION AND OPPORTUNITY  
66 TO PAY TO AVOID EVICTION – THIS NOTICE DOES  
67 NOT EXCUSE YOUR OBLIGATION TO PAY. YOU DO  
68 NOT HAVE TO MOVE WHEN YOU GET THIS NOTICE.  
69 YOU MAY QUALIFY FOR RENTAL ASSISTANCE. YOU  
70 CAN CONTACT THE CITY OF AUSTIN AT (512) 488-1397  
71 OR THE STATE OF TEXAS AT 1-833-989-7368 TO LEARN  
72 MORE. UNA NOTIFICACIÓN DE POTENCIAL DESALOJO  
73 Y DE OPORTUNIDAD PARA EFECTUAR EL PAGO Y  
74 EVITAR SU DESALOJO. ESTA NOTIFICACIÓN NO LO  
75 LIBERA DE SU OBLIGACIÓN DE CUMPLIR CON EL  
76 PAGO. NO ES NECESARIO MUDARSE AL RECIBIR ESTA  
77 NOTIFICACIÓN. PUEDE CALIFICAR PARA RECIBIR  
78 ASISTENCIA DE ALQUILER. PARA MÁS INFORMACIÓN  
79 PUEDE COMUNICARSE CON LA CIUDAD DE AUSTIN  
80 AL TELÉFONO (512)488-1397, O EL ESTADO DE TEXAS  
81 AL 1 - (833) 989-7368.”

82 **PART 6.** The COVID-19 pandemic, the delta variant, and related emergency  
83 declarations and orders continue to impact the operation of various businesses,  
84 which jeopardizes a household’s or business’ ability to maintain housing and  
85 business operations and constitutes an emergency. Because of this emergency,  
86 Parts 1, 2, and 3 of this ordinance take effect the day following publication for the  
87 preservation of the public peace, health, and safety. Parts 4 and 5 are effective on  
88 November 1, 2021.

89 **PASSED AND APPROVED**

90 §  
91 §  
92 \_\_\_\_\_, 2021 § \_\_\_\_\_  
93 Steve Adler  
94 Mayor

95 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
96 Anne L. Morgan Jannette S. Goodall  
97 City Attorney City Clerk

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