RECOMMENDATION TO COUNCIL

College Student Commission

Recommendation Number: 20261113-004: Rental Housing Natural Light Disclosure

WHEREAS, college students in Austin, including students at Austin Community College, Concordia University Texas, Huston-Tillotson University, St. Edward's University, and the University of Texas at Austin, often rely on rental housing to pursue their education, and accurate information about both housing costs and bedroom conditions is essential to making informed housing decisions; and

WHEREAS, access to natural light is a material feature of a bedroom that prospective tenants should be able to evaluate before paying application fees or entering into binding rental agreements; and

WHEREAS, City Council Resolution No. 20230914-082 recognized concerns about windowless bedrooms in student housing and directed the development of natural-light requirements for sleeping rooms in new buildings; and

WHEREAS, the City's 2025 University Neighborhood Overlay staff analysis identified 32 buildings with at least one floor plan containing a windowless bedroom among developments with available data, and estimated that at least 13 percent of bedrooms in the UNO area lacked access to natural light, while acknowledging limitations in data availability; and

WHEREAS, the University Tenants Union has previously advocated requiring disclosure to renters when their bedroom would be windowless, demonstrating organized student advocacy for greater transparency about bedroom conditions; and

WHEREAS, Ordinance No. 20240418-062 adopted natural-light requirements that allowed light from adjoining spaces, demonstrating the need to distinguish an exterior bedroom window from borrowed natural light; and

WHEREAS, Austin City Council adopted Ordinance No. 20260528-045 on May 28, 2026, adding fee-disclosure requirements to City Code Chapter 4-14 to help prospective tenants understand rental costs before applying for housing; and

WHEREAS, disclosure of a dwelling's rental costs should be accompanied by clear information about the natural-light status of the bedroom the prospective tenant will occupy; and

WHEREAS, an exterior window in a living room or another bedroom does not establish that every bedroom in a dwelling has an exterior window, and a representative floor plan may not establish the conditions of the bedroom offered to a particular tenant; and

WHEREAS, delaying disclosure until bedroom assignment or move-in can leave tenants financially committed to housing whose bedroom conditions they did not knowingly select; and

WHEREAS, a bedroom's eligibility for continued occupancy under applicable building codes should not exempt a housing provider from accurately disclosing its natural-light status;

NOW, THEREFORE, BE IT RESOLVED, the College Student Commission recommends that the Austin City Council take the following actions:

1. Direct the City Manager, in consultation with the City Attorney and appropriate departments, to prepare amendments to City Code Chapter 4-14 building upon **Ordinance No. 20260528-045** to require bedroom natural-light disclosure by covered rental housing providers throughout Austin, including providers that lease individual bedrooms or bed spaces within shared dwellings. For the purposes of these disclosures, "bedroom" or "sleeping room" should be defined broadly to include any room or partitioned space marketed, used, or intended for sleeping, regardless of whether it is officially designated as a bedroom, den, study, loft, or flex space.

2. Require a clear written disclosure identifying the natural-light status of each bedroom offered for rent. The disclosure should distinguish:

a. An exterior window located within the bedroom;

b. Direct natural light through a skylight or another exterior daylight opening, without an exterior bedroom window;

c. Borrowed natural light only, received through an interior window, glazed door, or other opening to an adjoining space; and

d. No exterior daylight opening or opening providing borrowed natural light.

The disclosure should identify the source of light and any permanent obstruction that blocks it. Descriptions of borrowed light or skylights should not imply the presence of an exterior bedroom window. These disclosure categories should describe physical conditions and should not substitute for a determination of building-code compliance.

3. Require the disclosure to appear prominently and consistently in floor plans used to market the housing, room-specific advertisements and offers, and leasing documents. In shared dwellings, each bedroom should be individually labeled. Representative floor plans should be identified as such, and any difference between the illustration and the bedroom offered should be disclosed in writing.

Require providers to deliver the disclosure directly to the prospective tenant at the earlier of providing a room-specific rental quote or accepting an application, and in all cases before collecting any application or reservation fee or obtaining a binding rental agreement. A general statement that some bedrooms may lack windows should not replace bedroom-specific disclosure.

4. Establish protections when the specific bedroom is assigned after application or lease signing. Before collecting a fee or obtaining a binding agreement, require the provider to identify either the specific bedroom and its natural-light status or a natural-light category

guaranteed in writing for the prospective tenant's eventual bedroom. The lease should preserve that guarantee, and the provider should supply an updated disclosure identifying the actual bedroom upon assignment and before occupancy.

Require a provider to obtain the tenant's affirmative written agreement before substituting a bedroom with a different natural-light category. General reassignment provisions or acknowledgment of receipt of a disclosure should not constitute consent to a different category.

5. Incorporate implementation and enforcement provisions, including a standardized bedroom-disclosure form, retention of disclosures and tenant acknowledgments, accessible complaint procedures, and coordination with existing rental-fee disclosure enforcement. Require providers to keep marketing materials they publish or authorize accurate and consistent with the disclosures delivered to tenants.

Recognizing that the **City's Rental Fee Transparency Ordinance Overview** explains municipal enforcement penalties but states that the ordinance does not provide tenant compensation, direct the City Attorney to identify legally available tenant remedies for omitted or materially inaccurate disclosures and assignments that violate a guaranteed category. These should include consideration of cancellation without penalty, refund of application and reservation fees, and an optional transfer to a bedroom matching the disclosed category without an additional transfer charge. Receipt of a disclosure should not waive remedies for inaccuracies.

6. Return a proposed ordinance and implementation plan to City Council within 90 days of Council's adoption of a resolution directing this work. Include consultation with the College Student Commission, student tenants, tenant advocates, and housing providers, along with recommended effective dates and staffing needs.

BE IT FURTHER RESOLVED that the College Student Commission recommends applying these disclosure requirements to covered existing and newly constructed rental housing, including bedrooms lawfully permitted without exterior windows, so that building age or prior approval does not excuse inaccurate or incomplete disclosure.

BE IT FURTHER RESOLVED that the College Student Commission encourages outreach through Austin-area colleges and universities to ensure that students understand the disclosures and available complaint procedures.

Date of Approval:

Motioned By: Seconded By:

Vote:

For:

Against:

Abstain:

Off the dais:

Absent:

Attest: _____