



Legislation Details (With Text)

File #: Ord. 2020-19 **Version:** 1 **Name:**

Type: Ordinance **Status:** Individual Consideration

File created: 3/30/2020 **In control:** City Council

On agenda: 4/7/2020 **Final action:**

Title: Consider approval of Ordinance 2020-19, requiring a landlord to provide notice of a proposed eviction action prior to issuing an actual notice to vacate and provide tenants a ninety day period to cure any delinquency as a result of the COVID-19 pandemic; creating an offense and penalty, providing for adoption of this Ordinance as an emergency measure on only one reading; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Eviction Delay Ordinance - MJC, 2. Supreme Court Fourth Emergency Order.pdf

Date	Ver.	Action By	Action	Result
4/7/2020	1	City Council	approved	Pass

AGENDA CAPTION:

Consider approval of Ordinance 2020-19, requiring a landlord to provide notice of a proposed eviction action prior to issuing an actual notice to vacate and provide tenants a ninety day period to cure any delinquency as a result of the COVID-19 pandemic; creating an offense and penalty, providing for adoption of this Ordinance as an emergency measure on only one reading; and providing an effective date.

Meeting date: April 7, 2020

Department: City Attorney/City Manager

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

The COVID-19 pandemic has caused economic hardship that includes difficulty on displaced workers to meet current rent obligations. All Hays County residents are currently under an order from County Judge Ruben Becerra to stay in their homes with certain exceptions for essential activities. Evictions for non-payment of rent will force individuals to leave their residences and contribute to the community spread of the virus that causes the disease. The Texas Supreme Court has issued an order prohibiting any residential eviction actions in the state through April 19, 2020.

The attached ordinance requires a landlord to provide a written notice informing a residential tenant of a right to cure a rent delinquency within 90 days before having to vacate the premises. The ordinance is drafted to continue in effect for the duration of the Local Disaster Declaration in San Marcos due to the COVID-19 pandemic.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.