Tenant Relocation Policy

Presented to

Community Development Commission

Planning Commission: Codes & Ordinances

April 2013

Council Resolution 20121108-059

- Directs staff to work with the Community Development Commission and stakeholders to develop recommendations regarding relocation standards and to identify the feasibility of and mechanisms for implementing these standards in zoning and demolition permit applications.
- Report back to Council by April 30, 2013.

Supporting Research: University of Texas Law Clinic

- Report by the Community Development Clinic at the University of Texas School of Law (August 2012)
- TENANT DISPLACEMENT IN AUSTIN: A Policy Report Analyzing the City of Austin's Tenant Relocation Policy at Shoreline Apartments with Recommendations for a City-Wide Policy Approach
- Objective was to examine the issue of tenant displacement and provide policy recommendations for an Austin Relocation Ordinance
- Study initiated due to the redevelopment of the Shoreline Apartments on East Riverside

www.utexas.edu/law/clinics/community/TENANT_DISPLACEMENT_IN_AUSTIN_Aug2012.pdf

University of Texas Law Clinic Cont'd

- Studied national best practices
- Made recommendations on:
  - Applicability
  - Adequate Notices
  - Relocation Stipend
  - Special-Circumstance Households
  - No Final Month's Rent
  - Security Deposit Refunds
  - Security of Premises
  - Flexible Move-Out Dates
  - School Transfer Issues
  - Qualified Realtor Assistance
  - Reports by Developer
  - Private Right of Action and Remedies for Violations
  - Austin Energy

Board & Commission Activity / Public Input

- ***February 12, 2013***: Presentation at the Community Development Commission; public input session at the Community Development Commission Housing Committee.
- ***March 5, 2013***: Agenda Item at the Community Development Commission Housing Committee.
- ***April 4, 2013***: Agenda Item at the Community Development Commission Housing Committee; Community Development Commission.
- ***April 16, 2013:*** Presentation at the Codes and Ordinances Committee of the Planning Commission.
- ***April 23, 2013:*** Public Input Session: Austin City Hall
- ***May 1, 2013:*** Public Input Session: 1000 East 11th Street, Street-Jones Building

Policy Recommendations

Policy Recommendations

Eligibility

A tenant relocation policy should apply to all developments with the intent to demolish and/or renovate a multi-family apartment complex that will result in the displacement of its residents.

Notification Process

The developer should be required to provide at least a six-month notice of the final move out date to each tenant household.

Policy Recommendations cont'd

Relocation Assistance

- In certain situations, where the complex is presumed to be affordable to households at 80% or below median family income, the developer should be required to provide a relocation stipend to qualified tenants.
- In certain situations, where a low-income household requires additional assistance because of certain special needs (i.e. elderly or disabled), the developer should be required to provide an additional moving stipend to cover the costs of moving.

Policy Recommendations cont'd

Relocation Assistance cont'd

- The City can make available a list of qualified realtors who can assist in relocating tenants.
- The developer should allow flexible move-out dates to tenants who choose to move out after notice is given.
- The developer should be required to refund full security deposits to households where no developer-owned property is missing upon move-out (i.e. metal scraps, copper, fixtures or appliances).

Programmatic Considerations

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- **Reporting**: The developer should be required to provide regular reports to the City to show compliance to potential tenant relocation policy requirements.
- **Compliance**: If a developer is shown to be in violation of the Policy, steps would need to be identified to bring the developer into compliance.
  - Monitoring personnel will be required in order to carry out program requirements.
  - The recommendations will require changes to the City's Development Review and intake process as well as may require changes to the City of Austin's enterprise-wide computer application that allows City departments to automate respective business processes and allows users to share records and data across City departments and with the public.
  - The Application Management and Data Automation system (AMANDA) is used by multiple departments and is essential in the current development and review process administered by the Planning and Development Review Department.
- **Analysis to determine costs**: A study should be conducted to determine costs to the developer to ensure costs are proportionate to the anticipated negative impacts of the development and the overall cost to the displaced tenants.

Next Steps & Stakeholder Meetings

- **April 23rd**: Public Input Session, 5pm, City Hall Room 1029
- **May 1st:** Public Input Session, 1pm, Street Jones Building, 1000 East 11th St., Ste. 400a
- **May 2013**: Report back to City Council