



CITY OF HOUSTON

Sylvester Turner

Mayor

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To: Harris County Justices of the Peace

From: Tom McCasland on behalf of Houston Mayor Sylvester Turner

Date: September 9, 2020

Re: Housing Policy Update

In addition to the recent CDC announcement about its eviction moratorium, I want to make certain that you are aware that Houstonians have similar protections from eviction that are available through a voluntary agreement between Houston landlords and the City of Houston.

The attached flyer and Landlord Agreement describe the protections available to every tenant residing in a property, if that landlord that accepts funding from the City's program.

- Additional details are provided at <http://houstonrentassistance.org>

The full list of participating landlords totaling 6,003, representing 12,568 properties in both the City and County's program is available to you and your staff at this link. Should you need to determine whether a tenant facing eviction resides at one of the participating properties, you can search by company/owner name, building/property name, address, or zip code. The page will also identify if the property is participating in the City program, the County program, or both.

The following information relates to only those properties participating in the City program, although there are similar obligations for those participating in the County program. A property that receives any funding for at least one tenant from the City's rental assistance program must (1) offer a payment plan as described below and (2) agree not to evict ANY tenants through the end of September who enters into a payment plan for rent due.

The landlord must offer the payment plan to any tenant who meets the following qualifications:

1. Tenant represents they have a COVID-related hardship.
2. Subject to qualification, tenant applied for the City rental assistance program. (note: The application process for this program has been extended indefinitely).

3. The tenant is not in default of a payment agreement previously negotiated. The payment plan must include any back rent owed (other than late rent already forgiven), and the tenant must pay the first payment no later than October 1.

We are in the process of committing and funding the first tranche for 6,239 households immediately. Once these households receive funding, the other tenants of these properties will have the above protections. The County will soon fund its first tranche as well, which will impact even more properties within the City.

Finally, it may be helpful to flag the similarities and differences between the protections provided by the City's voluntary landlord agreement and the CDC moratorium.

Differences with the CDC moratorium

- The City's agreement comes with actual rental assistance for tenants that does more than place an obligation on the landlord.
- While the City has income limits for tenants receiving the rental assistance, there is no City income requirement for non-assisted tenants receiving the eviction protection, as there is with the CDC.
- The CDC does not require a payment plan for amounts owed.
- The CDC requires that the tenant certify they would become homeless (sheltered or unsheltered) or be required to double up (e.g. couch surfing) to qualify. The City program does not explicitly require that certification because data indicate that becoming homeless or doubling up is what happens to individuals who are evicted under the current circumstances.

Similarities with the CDC moratorium

- Both require that the tenant seeking protection avail themselves of rental assistance if they qualify.
- Both require the tenant to certify economic harm such as job or income loss that causes them to be unable to pay rent, although the City's program requires that the economic harm be caused by COVID.
- Both require the tenant to continue making the best effort to pay rent, although, with the City's program, this best effort must be demonstrated through a payment plan.
- Both programs allow the tenant to make a self-attestation to the above rather than providing documentation.

We hope this information will be helpful as you work to balance your official duties with the urgent need to ensure evictions do not increase in Houston. Should you need additional information regarding this program, please contact the City's Housing Director, Tom McCasland, at tom.mccasland@houstontx.gov.