

Motion Sheet – STR Regulations

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I move to amend the motion by Council Member Velasquez by amending Section 4-23-41(B) (lines 215 to 226 of the draft ordinance) as follows:

(B) At a minimum, an applicant must provide the following information:

- (1) a certification by the applicant and the applicant's agent that the housing unit is not subject to outstanding City Code or state law violations;
- (2) the applicant's name, street address, mailing address, electronic mail address, and telephone number;
- (3) the local contact's name, street address, mailing address, electronic mail address, and telephone number;
- (4) the proposed short-term rental's street address;
- (5) a self-certified safety checklist;
- (6) the name of each platform that will be used to advertise or promote the short-term rental;
- (7) proof that a lessee applicant is responsible for payment of utilities; **and**
- (8) **authorization from the owner in a form to be prescribed by the Director;**  
**and**
- (89) any other information requested by the director.

## **Explanation**

The form Texas Apartment Association lease and Texas Association of Realtors lease comprise the vast majority of leases in Austin. Both of those form leases by default prohibit any form of subletting without owner authorization. If tenants are going to be able to obtain STR operating licenses, the city has a strong interest in not misleading or confusing tenants into inadvertently violating their leases, which can result in fees or even eviction. Even leases that do not explicitly prohibit subletting often grant landlords the ability to impose restrictions or require authorization on time and duration. Requiring an authorization form incentivizes landlords and tenants to discuss the details of STR use by tenants and avoid tenants putting their leases at risk.