



Recommendation for Action

File #: 23-1189, **Agenda Item #:** 29.

2/9/2023

Posting Language

Approve an ordinance amending City Code Section 4-14-105 to clarify when a landlord must provide time to cure lease violations.

Lead Department

Law Department.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

October 27, 2022, Council approved Ordinance No. 20221027-023.

For More Information:

Trish Link, Division Chief, (512) 974-2173.

Additional Backup Information:

On October 27, 2022, Council approved Ordinance No. 20221027-023, which requires landlords, under certain circumstances, to provide a notice of proposed eviction that includes an opportunity to cure lease violations. The ordinance also established that the minimum days to cure lease violations is seven. The ordinance is codified in Article 2 of Chapter 4-14 (Rental Property).

Because the ordinance does not require a landlord to provide a notice of proposed eviction in all circumstances, the applicability of the time period to cure violations is limited to tenants who are eligible for a notice of proposed eviction. This means that a landlord who is not required to provide a tenant with a notice of proposed eviction does not have to provide the tenant with a time period to cure lease violations. However, the text of Section 4-14-105 (Time to Cure Lease Violations) unintentionally appears to require a time period to cure lease violations in every circumstance. This ordinance, if approved, will clarify that the time period to cure lease violations only applies when the landlord is required to provide a notice of proposed eviction.

Strategic Outcome(s):

Government that Works for All.