

Memorandum



CITY OF DALLAS

DATE April 17, 2020

TO Honorable Mayor Eric Johnson

SUBJECT **Recommendation of the Ad Hoc Committee on COVID-19 Human and Social Recovery and Assistance on the COVID Landlord-Tenant Notice Ordinance**

The Ad Hoc Committee on COVID-19 Human and Social Recovery and Assistance (Ad Hoc Committee) unanimously voted in favor of the attached COVID Landlord-Tenant Notice Ordinance and recommended full review by the City Council at the upcoming April 22, 2020 Council Agenda Meeting.

As Chairman of the Ad Hoc Committee, I want to express my sincerest appreciation for the opportunity to brief this policy item through the Committee's review process. The original ordinance was fatally flawed, but through the great work of many coming together, we made great progress in a short amount of time. Thank you for your willingness to shepherd this process and for your leadership during this time. We respectfully request you to place the item on the April 22, 2020 agenda per the Committee's recommendation and in your authority as Mayor.

I am grateful for the work of my fellow Committee members, my City Council colleagues, our city attorney's office, and the large number of external stakeholders who offered their expertise and feedback on such a rapid timeline. Within two weeks, the Committee briefed the proposed amendment, solicited public input, and synthesized feedback to produce the draft COVID Landlord-Tenant Notice Ordinance attached. There remain legal issues with this ordinance. However, we are weighing the unique circumstances of this pandemic, and we have made every effort to narrowly tailor our response to give the city the greatest chance of positive impact while limiting unintended consequences. We may need to re-visit this ordinance as a council depending on the length of our disaster declaration.

Reflective of the will of the body, it is the intent that this ordinance provides protections to help neighbors remain housed during this unprecedented pandemic while also incentivizing the payment of rent, good-faith collaboration between tenants and landlords, and preservation of public safety for all. It is my hope that we will continue to see tenants and landlords working together beyond this crisis, and that Dallas will continue to be a city that advocates for the best interest of all.

Highlights of the Ordinance include:

- Landlords must issue a COVID Notice of Possible Eviction that informs tenants of options to seek rental assistance, and provide additional time for the negotiation of lease payment agreements prior to initiating the eviction process via a Notice to Vacate. Tenants must respond no later than 21 days from receipt. Notice language is provided for landlords in English and Spanish;
- Delays eviction for 60 days if a tenant has experienced a financial hardship due to the COVID disaster and encourages negotiation between the landlord and tenant to create a lease payment plan, modification or other options;

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- Excludes **any** delays of eviction when there is evidence of abatable criminal activity;
- Establishes a specific termination period of the ordinance to end with the COVID disaster declaration;
- Applies only to evictions related to residential properties.
- Does not excuse the tenant of any requirement to pay rent or fees under a lease but encourages the parties to collaborate on a workable solution.

We believe many landlords and tenants across our great city are already doing the right thing, working with each other, and coming together for the greater good during this time. In Dallas, we remain a city seeking to serve each other and #LoveYourNeighbor.

We remain committed to a transparent and comprehensive process as this policy undergoes further consideration and as we seek to uphold the safety, health and welfare for all living and doing business in the City of Dallas.

Sincerely,



B. Adam McGough
Chairman, Ad Hoc Committee on COVID-19 Human and Social Recovery and Assistance

Attachments: COVID Landlord Tenant Notice Ordinance & Exhibit

c: Honorable Members of the City Council
Chris Caso, City Attorney
T.C. Broadnax, City Manager
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion