

By: Gervin-Hawkins

H.B. No. 1690

A BILL TO BE ENTITLED

AN ACT

relating to a residential landlord's duty regarding the provision of certain information.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 92.020, Property Code, is amended by adding Subsection (e) to read as follows:

(e) If a telephone number provided by a landlord to a tenant under Subsection (a) or (d) becomes incorrect, the landlord shall:

(1) if Subsection (a) applies to the landlord, post a notice of the change, including the correct telephone number, in the manner required by Subsection (b) not later than 24 hours after the time the telephone number becomes incorrect; and

(2) regardless of whether Subsection (a) applies to the landlord, give notice of the change, including the correct telephone number, to the tenant in the tenant's primary language:

(A) by any method within 24 hours after the time the telephone number becomes incorrect; and

(B) in writing not later than the third day after the day the telephone number becomes incorrect:

(i) in a paper format by mail or delivered in person;

(ii) in an electronic format if requested by the tenant; or

(iii) by e-mail if the landlord and tenant

1 have communicated by e-mail.

2 SECTION 2. The heading to Section 92.201, Property Code, is
3 amended to read as follows:

4 Sec. 92.201. DISCLOSURE OF OWNERSHIP AND MANAGEMENT;
5 CONTACT INFORMATION.

6 SECTION 3. Sections 92.201(a) and (e), Property Code, are
7 amended to read as follows:

8 (a) A landlord shall disclose to a tenant, or to any
9 government official or employee acting in an official capacity,
10 according to this subchapter:

11 (1) the name and either a street or post office box
12 address of the holder of record title, according to the deed records
13 in the county clerk's office, of the dwelling rented by the tenant
14 or inquired about by the government official or employee acting in
15 an official capacity; ~~and~~

16 (2) if an entity located off-site from the dwelling is
17 primarily responsible for managing the dwelling, the name and
18 street address of the management company; and

19 (3) a telephone number, e-mail address, or other
20 reasonable method for contacting the landlord or management company
21 during normal business hours.

22 (e) A correction to the information disclosed to a
23 government official or employee under this section may be made by
24 any of the methods authorized for providing the information.

25 SECTION 4. Section 92.203, Property Code, is amended to
26 read as follows:

27 Sec. 92.203. LANDLORD'S FAILURE TO CORRECT INFORMATION

1 PROVIDED TO TENANT. (a) A landlord who has provided information
2 under [~~Subdivision (2) or (3) of Subsection (b) of~~] Section 92.201
3 is liable to a tenant according to this subchapter if:

4 (1) the information becomes incorrect because a name,
5 [~~or~~] address, telephone number, e-mail address, or other method of
6 contact changes; and

7 (2) the landlord fails to correct the information as
8 required by Subsection (b) [~~on or before the seventh day after the~~
9 ~~date the tenant gives the landlord written notice that the tenant~~
10 ~~may exercise the remedies under this subchapter if the corrected~~
11 ~~information is not provided within seven days~~].

12 (b) If information provided by a landlord to a tenant
13 becomes incorrect as described by Subsection (a)(1), a landlord
14 shall give notice of the change, including the correct information,
15 in the tenant's primary language:

16 (1) by any method within 48 hours after the time the
17 information becomes incorrect; and

18 (2) in writing not later than the seventh business day
19 after the day the information becomes incorrect:

20 (A) in a paper format by mail or delivered in
21 person;

22 (B) in an electronic format if requested by the
23 tenant; or

24 (C) by e-mail if the landlord and tenant have
25 communicated by e-mail.

26 SECTION 5. Section 92.204, Property Code, is amended to
27 read as follows:

1 Sec. 92.204. BAD FAITH VIOLATION. A landlord acts in bad
2 faith and is liable according to this subchapter if the landlord
3 gives an incorrect name, ~~[or]~~ address, telephone number, e-mail
4 address, or other method of contact under ~~[Subsection (a) of]~~
5 Section 92.201(a) ~~[92.201]~~ by wilfully:

6 (1) disclosing incorrect information under Section
7 92.201(b)(1) or (2) or Section 92.201(d); or

8 (2) failing to correct information given under Section
9 92.201(b)(1) or (2) or Section 92.201(d) that the landlord knows is
10 incorrect.

11 SECTION 6. (a) The changes in law made by this Act to
12 Sections 92.201(a) and 92.204, Property Code, apply only to
13 disclosure of contact information made on or after the effective
14 date of this Act. Disclosure of contact information made before the
15 effective date of this Act is governed by the law in effect on the
16 date the disclosure was made, and that law is continued in effect
17 for that purpose.

18 (b) The change in law made by this Act to Section 92.203,
19 Property Code, applies only to liability for failure to correct
20 contact information given on or after the effective date of this
21 Act. Liability for failure to correct contact information given
22 before the effective date of this Act is governed by the law in
23 effect when the contact information was given, and that law is
24 continued in effect for that purpose.

25 SECTION 7. This Act takes effect September 1, 2023.