

BILL ANALYSIS

C.S.H.B. 177
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Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently landlords are not required to provide tenants with hot water, nor are they required by statute to remedy a case in which the device that heats the water is broken.

There have been situations where a tenant entered a lease agreement and before the lease was terminated the hot water in the unit failed, and since it is not required for the landlord to remedy this particular situation, the landlord refused to do so leaving the tenant locked in a lease with no hot water. There have also been situations in which a tenant entered a lease agreement under the impression the unit had hot water and upon moving in the unit did not and the landlord refused to remedy the situation. This is an issue as it affects sanitation and hygiene.

C.S.H.B. 177 specifies that a landlord is responsible for the repair and/or remedy of the device used to supply hot water.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 177 amends the Property Code to require a landlord to make a diligent effort to repair or remedy a condition if the condition arises from the landlord's failure to provide and maintain in good condition a device to supply hot water of a minimum temperature of 120 degrees Fahrenheit.

C.S.H.B. 177 sets forth that the change in law made by this Act applies only to a notice that is made on or after the effective date of this Act and a notice made before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 177 differs from the original in that it deletes the requirement that the landlord provide, maintain, and connect to a cold and hot water source a bathtub or shower in a room affording privacy to the user and a lavatory in a dwelling unit. The substitute removes language relating to enhanced penalties for failure to provide hot water. The substitute makes conforming changes.