

By: Davis of Dallas

H.B. No. 1009

A BILL TO BE ENTITLED

AN ACT

relating to application fees and deposits paid to a landlord of residential rental property.

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

SECTION 1. Sections 92.351(1) and (1-a), Property Code, are amended to read as follows:

(1) "Application deposit" means a sum of money that is given to the landlord in connection with a rental application as a holding deposit to take a unit off the market while the rental application is processed and that is refundable to the applicant if the applicant is rejected as a tenant.

(1-a) "Application fee" means a [~~nonrefundable~~] sum of money that is given to the landlord to offset the costs of screening an applicant for acceptance as a tenant.

SECTION 2. Section 92.3515(f), Property Code, is amended to read as follows:

(f) If an applicant requests a landlord to mail a refund of the applicant's application deposit or application fee to the applicant, the landlord shall mail the refund check to the applicant at the address furnished by the applicant.

SECTION 3. The changes in law made by this Act apply only to a rental application submitted on or after the effective date of this Act. A rental application submitted before the effective date of this Act is governed by the law in effect on the date the rental

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1 application was submitted, and the former law is continued in  
2 effect for that purpose.

3 SECTION 4. This Act takes effect September 1, 2015.