87R12154 DRS-F

By:  Rodriguez H.B. No. 3358

A BILL TO BE ENTITLED

AN ACT

relating to prohibited retaliation against residential tenants by landlords.

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

SECTION 1.  Section 92.331(b), Property Code, is amended to read as follows:

(b)  A landlord may not, because [~~within six months after the date~~] of the tenant's action under Subsection (a), retaliate against the tenant by:

(1)  filing an eviction proceeding, except for the grounds stated by Section 92.332;

(2)  depriving the tenant of the use of the premises, except for reasons authorized by law;

(3)  decreasing services to the tenant;

(4)  increasing the tenant's rent or terminating the tenant's lease; or

(5)  engaging, in bad faith, in a course of conduct that materially interferes with the tenant's rights under the tenant's lease.

SECTION 2.  Section 94.251, Property Code, is amended to read as follows:

Sec. 94.251.  RETALIATION BY LANDLORD. (a) A landlord may not retaliate against a tenant by taking an action described by Subsection (b) because the tenant:

(1)  in good faith exercises or attempts to exercise against a landlord a right or remedy granted to the tenant by the lease agreement, a municipal ordinance, or a federal or state statute;

(2)  gives the landlord a notice to repair or exercise a remedy under this chapter; [~~or~~]

(3)  complains to a governmental entity responsible for enforcing building or housing codes, a public utility, or a civic or nonprofit agency, and the tenant:

(A)  claims a building or housing code violation or utility problem; and

(B)  believes in good faith that the complaint is valid and that the violation or problem occurred; or

(4)  establishes, attempts to establish, or participates in a tenant organization.

(b)  A landlord may not, because [~~within six months after the date~~] of the tenant's action under Subsection (a), retaliate against the tenant by:

(1)  filing an eviction proceeding, except for the grounds stated by Subchapter E;

(2)  depriving the tenant of the use of the premises, except for reasons authorized by law;

(3)  decreasing services to the tenant;

(4)  increasing the tenant's rent;

(5)  terminating the tenant's lease agreement; or

(6)  engaging, in bad faith, in a course of conduct that materially interferes with the tenant's rights under the tenant's lease agreement.

SECTION 3.  This Act takes effect September 1, 2021.