

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

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

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

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

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

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

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

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

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

23 (3) decreasing services to the tenant;

24 (4) increasing the tenant's rent;

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

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

1 lease agreement.

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