

By: Hinojosa

H.B. No. 1049

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting a prospective residential landlord from increasing the amount of rent during the rental application process.

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

SECTION 1. Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.027 to read as follows:

Sec. 92.027. PROSPECTIVE LANDLORD PROHIBITED FROM INCREASING RENT AMOUNT DURING APPLICATION PROCESS. (a) In this section, "applicant," "landlord," and "rental application" have the meanings assigned by Section 92.351.

(b) This section applies only to a rental application provided by a landlord to an applicant that:

(1) provides that the applicant will be considered to lease a specific rental unit; and

(2) states the monthly rent amount at which the specified rental unit will be offered to an approved applicant.

(c) A landlord who approves a rental application to which this section applies must provide to the applicant a written lease agreement for the rental unit referenced in the application at the monthly rent amount stated in the application.

(d) A landlord who violates this section is liable to the applicant for an amount equal to the sum of \$100, three times the amount of any application fee or deposit, and the applicant's

1 reasonable attorney's fees.

2       SECTION 2.   Section 92.027, Property Code, as added by this  
3 Act, applies only to a rental application provided to an applicant  
4 on or after the effective date of this Act.

5       SECTION 3.   This Act takes effect September 1, 2023.