

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Business & Industry  
For HB 2035

Compiled on: Monday, April 3, 2023 6:21 PM

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Hearing Date: April 3, 2023 8:30 AM

Eric Mata  
Texas Organizing Project  
Dallas, TX

I am writing to express my strong opposition to House Bill 2035, which seeks to prohibit local eviction protections. As a member of the public, I believe this bill would have a devastating impact on tenants across the state, particularly during the ongoing COVID-19 pandemic.

Local eviction protections are critical to ensuring tenants are not unfairly evicted from their homes, particularly in economic hardship. By prohibiting these protections, House Bill 2035 would leave vulnerable Texans at the mercy of landlords, many of whom may be more concerned with their financial interests than the well-being of their tenants.

In addition, this bill would effectively strip local governments of the power to enact policies to protect their constituents. This clearly violates the principle of local control, which allows communities to make decisions that are in their best interests.

I urge you to reconsider this harmful legislation and instead work to support policies that protect tenants and promote affordable housing for all Texans. Thank you for your attention to this important matter.

Eric Mata  
Texas Organizing Project  
Dallas, TX

Dear Members of the Texas House Committee on Business & Industry,

I am writing to express my strong opposition to House Bill 2035, which threatens the well-being of everyday working Texans. If passed, this insidious legislation will have disastrous consequences for tenants across the state, leading to more evictions, housing instability, and homelessness.

House Bill 2035 makes it easier for landlords to evict families by blocking cities from giving struggling tenants time to pay back rent before a formal eviction can be filed. This is deeply concerning, particularly in the wake of the COVID-19 pandemic, which has already caused immense financial hardship for so many Texans.

The proposed legislation will undoubtedly result in more families being evicted from their homes, which will in turn increase housing instability and homelessness across the state. As a result, I urge you to reject this bill and take action to protect the rights and well-being of Texas tenants.

It is essential that our state prioritize the needs of working Texans, particularly those who are struggling to make ends meet in the face of unprecedented economic challenges. We cannot allow landlords to take advantage of vulnerable tenants by evicting them without proper notice or the opportunity to make arrangements for back rent.

In conclusion, I strongly urge you to oppose House Bill 2035 and take a stand for the well-being of everyday Texans. Thank you for your time and attention to this important issue.

Jessica Trudeau  
Center for Transforming Lives  
Flower Mound, TX

Public Comment  
Jessica Trudeau, MPH  
Center for Transforming Lives Chief Transformation Officer

I am writing in opposition to HB2035. In my role with the Center for Transforming Lives, I analyze and compile internal data on our programs including prevention and intervention of homelessness and external data to understand the needs of our community. In Tarrant County, there is an increasing incidence of families who are homeless and a lack of services for all families in need. HB2035 will lead to greater evictions, which will result in more women and children experiencing homelessness. This will impact our organization, but more importantly, it will impact our entire community. Our children deserve better.

Jenna Babbitt  
Center for Transforming Lives  
Fort Worth, TX

I am writing in opposition to HB2035. I work for the Center for Transforming Lives as the Director of Social Enterprise. In Tarrant County, there is an increasing incidence of families who are homeless and a lack of services for all families in need. HB2035 will lead to greater evictions, which will result in more women and children experiencing homelessness. This will impact our organization, but more importantly, it will impact our entire community and economy. Our children deserve better.

Thank you,  
Jenna Babbitt

Cindy Fountain, Ms  
TXUUJM - Texas Unitarian Universalist Justice Ministry  
Cleburne, TX

I strongly oppose this bill. Usurping local control of local elected leaders belies the philosophy of small government, erodes local trust, and essentially takes away the ability of communities to take civic action where they live. Please do not pass this bill!  
Thank you.

Chris Donofrio  
Self  
The Woodlands, TX

I oppose HB 2035.  
I urge you to let it die in committee.

HB 2035 has many serious flaws.

1) Overly constraining local governments' ability to adjust the Property Code to forbid immediate or emergency situations. Local governments, not the state government, are in the unique position of knowing precise details of situations that need an immediate response in order to save lives or forward the public good. This should not be infringed upon.

2) Empowers landlords to act with impunity. They could, as probably would based on behavior during Covid-19, lower income tenants as well as those they do not approve of. This gives them an easy end around anti-discrimination laws.

3) Encourages landlord corruption. During Covid-19 when evictions were prohibited, landlords received Federal subsidies. When non-eviction mandates began to end a large share of landlords sought to evict a large number of their tenants. It made the news often. Landlords showed no shame and played the 'victim card' even though their lost income and expenses were being covered. HB 2035 is a flashing light that signals landlords can act as they wish, even if it means they game the system.

4) May impede tenant due process. The specific prohibited items and processes in HB 2035 are necessary elements intended to protect tenants from potentially illegal, and unethical, treatment by landlords.

I urge you to let HB 2035 die in committee.  
Respectfully,  
Chris J. Donofrio

Janna Canard  
Texas UU Justice Ministry  
Fort Worth, TX

I oppose HB 2035 because it threatens the well-being of everyday working Texans. It's an insidious attack on tenants that if passed will lead to more evictions, housing instability, and homelessness across our state. The legislation makes it easier for landlords to evict families by blocking cities from giving struggling tenants time to pay back rent before a formal eviction can be filed. Please oppose HB 2035.

William Pumfrey, Mr.

Self/retired

Austin, TX

I urge committee members to vote against HB 2035.

First, my general reason: I am distressed that there is a tendency in the Texas Legislature to remove powers from local government. Why not let different local governments try different things? Just like under the federal system we have room for states to try different things.

Second, my specific reason. The legislature is considering bills that will, in various ways, help homeowners. This is good. But renters don't benefit from that, and they are often in a more precarious position than homeowners. The Texas tax system is biased against people of lower income, and so why deprive cities of a way to help renters, who tend to be lower income than homeowners?

Thank you for your attention.

Allison Craig

self

Fort Worth, TX

Please vote against HB 2035. HB 2035 threatens the well-being of everyday working Texans. It's an insidious attack on tenants that if passed will lead to more evictions, housing instability, and homelessness across our state. The rights of working Texans to affordable housing must be protected.

Joshua Hebert

self—physics content developer

Austin, TX

I believe that HB 2035 is a bad bill. Although I understand the appeal of this bill from a property-rights perspective, I think you are underestimating how the ease of eviction in TX makes the homelessness crisis worse. Municipalities are struggling to keep people from becoming homeless in the first place, and this bill will only make that more difficult. Perhaps, instead of a blanket ban, you could target this or narrowly, or consider a different bill where evictions for nonpayment that are delayed by municipal ordinance allow the landlord to deduct some portion of the unpaid rent from their commercial property taxes, based on the number of units they rent. So, small landlords could be made mostly, if not completely whole, while larger landlords would shoulder at least some of the cost (to keep them from gaming the system).

Jessica Vittorio, Managing Attorney  
Dallas Eviction Advocacy Center  
Dallas, TX

My name is Jessica Vittorio and I am one of the Managing Attorneys of the Dallas Eviction Advocacy Center. I am speaking today in opposition of HB 2035.

At DEAC, we provide pro bono legal representation and counsel to tenants facing eviction in both the Justice of the Peace and County Courts in Dallas County. Since beginning this work in 2020, I have personally assisted close to 1,000 tenants in navigating the eviction system. According to a report published by the Child Poverty Action Lab in Summer of 2022, the average length of an eviction hearing in Dallas County is 3 minutes and 59 seconds.

Within that time, the Court must: 1) allow the landlord to present their evidence, 2) allow the tenant to present their evidence, and 3) the Court must make their final ruling. 3 minutes and 59 seconds is only slightly longer than the time in which I am testifying today.

That is simply not enough time for the Parties to engage in any substantive dispute resolution that effectively meets the needs and interests of all Parties.

During my time with DEAC, I have seen a number of mechanisms attempt to address the eviction crisis currently plaguing Texas. Some have come from the federal government, some have come from the State, and some have come from the local government, and each have taken a different approach to tackling the housing crisis.

My experience working with all of these different solutions has been clear, the local ordinances have been most effective in providing the parties a realistic opportunity to reach a mutual resolution.

And the reason for this efficacy is simple – they were not drafted as a one size fits all policy, and instead have been tailored to the problems and needs unique to the market.

HB 2035 asks you to strip local governments of the power to reasonably implement these tools, based on a myth that local governments have run wild with these types of regulations which have created a regulatory framework that is impossible for industry to navigate. However, this is simply untrue.

Of the 254 counties and over 1,200 municipalities in the State of Texas, 4 cities have adopted some type of eviction notice ordinance, several of which are temporary ordinances only.

The numbers speak for themselves; a regulatory crisis simply does not exist.

The State of Texas encompasses a significant diversity of real estate markets. What works effectively in one area, would not likely be effective in another. By preventing local governments from directly targeting the challenges facing their own markets we place the obligation on the State to navigate these intricacies, which is something the State is simply ill-equipped to do effectively. The result will be overly burdensome and ineffective policies which fail to address the needs of both tenants and landlords, and further contribute to the urgent housing crisis facing our cities.

For these reasons, I ask you oppose HB 2035.

Nick Mitchell-Bennett

cdcb | come dream. come build.

Brownsville, TX

HB 2035 allows for the state of Texas to preempt municipal ordinances relating to evictions. This means that local governments are not allowed to adopt or enforce an ordinance that delays the eviction process. This also prevents local governments from enacting "opportunity to cure" periods, which grant the tenant more time to seek shelter after facing an eviction. This preemption does not allow municipalities and local governments to meet the needs of their unique communities, especially persistent poverty counties.

As Texas Rent Relief and Emergency Rental Assistance ran out of funding, evictions have skyrocketed; there are little to no renter protections programs in place. In 2022, there were at least 270,000 eviction suits filed which is even higher than eviction rates pre-COVID. With stagnant wages, rising rents, and inflation, it has become increasingly difficult for the Texas renter to live comfortably. Housing costs are taking up more of the average Texan's income, leaving them with less for transportation, childcare, food, and other resources.

cdcb serves Cameron County, and after meeting with several Justices of the Peace, JP Linda Salazar stated that she gets at least 20 eviction suits weekly in her district. Simply put, wages are not keeping up with rising costs and in counties like Cameron County, where the area median income is \$53,500, renters are not only struggling with rising rent. With the federally mandated three-day notices, it is nearly impossible for Cameron County renters to find shelter in an area with low housing production and a growing population. There are waitlists for most affordable housing units and most market rate units are not affordable. Despite the fact that the median income in the area is \$53,500, much of the population earns less than \$40,000 and there is a high rate of multigenerational households, where older and younger generations are unable to sustain themselves.

A mandated 3-day notice is not enough for most renters to seek shelter. Housing insecurity affects every aspect of a person's existence, from their physical and mental health to their ability to secure employment. Evictions further strain a household's finances, making it difficult for them to recover and pushes them into debt. It is crucial that local governments set their own standards for evictions; every community faces different challenges. Local governments have adopted "opportunity to cure" ordinances in order to combat homelessness. HB 2035 will strike down those ordinances, therefore contributing to housing instability and poverty in Texas.

Robert Murry, Mr

Self

Austin, TX

This bill seems to take away local control relating to evictions. I am AGAINST IT because individual towns and cities SHOULD be able to make laws and rulings based on their local economic conditions.

Susan Anderson, Dr.

Texas UU Justice Ministry

Benbrook, TX

I oppose HB 2035 because it threatens the well-being of everyday working Texans. It's an attack on tenants that if passed will lead to more evictions, housing instability, and homelessness across our state. The legislation makes it easier for landlords to evict families by blocking cities from giving struggling tenants time to pay back rent before a formal eviction can be filed. While this would benefit landlords, the entire community will suffer, as there will be more homeless people on the streets. My daughter lives in Austin in "West Campus", an area that attracts homeless people, and unfortunately, threatens the safety of the UT students who live in that area. More should be done to prevent homelessness. However, HB 2035 will make it worse.

Robin Rosenstock, Dr

self

Austin, TX

I strongly oppose this bill. The various cities are trying different methods to try to avoid increasing homelessness. This bill would take away local control (small vs large state government??) and increase the problem of homelessness in our state

Ashley Harris  
United Ways of Texas  
Austin, TX

On behalf of our Texas United Ways, we are writing the committee to express our concerns on HB 2035 by Rep. Slawson. Each day, our diverse network of Texas United Ways work to be responsive of the unique needs of their communities. As part of their community impact work focused on financial stability, quite a few Texas UWs have been active in addressing the issue of eviction and housing stability overall. Many of our local United Ways have been instrumental in the roll out of rental assistance programs in Texas communities during the pandemic and have worked closely with their local elected officials on strategies to prevent eviction and promote housing stability.

We believe this bill would impact the work of local nonprofits as well as Texas households working hard but struggling to make ends meet by preempting local governments' ability to provide tenants with an "opportunity to cure" and pay back rent before a formal eviction can be filed. Our network is very concerned that this bill, passed would lead to more eviction, housing instability, and homelessness in Texas communities, which would place additional burden on Texas nonprofits.

Moreover, as a network of independent nonprofits focused on driving solutions to local challenges, we believe local decisionmakers should be able to be responsive to the unique needs of the communities they represent.

Thank you for considering our concerns on HB 2035 by Rep. Slawson and support of Texas communities.

Katherine Fletcher  
Self  
Houston, TX

This bill is not good for Texas. We need to house more of our citizens so they can be healthy and productive Texans as well as supporting healthy children who are the future of Texas. Please vote against HB 2035 which makes it even easier for landlords to evict tenants, prohibiting help for those tenants.