

By: Alvarado, et al.

S.B. No. 1802

A BILL TO BE ENTITLED

AN ACT

relating to a landlord's duty to repair or remedy certain conditions.

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

SECTION 1. Section 92.052(a), Property Code, is amended to read as follows:

(a) A landlord shall make a diligent effort to repair or remedy a condition if:

(1) the tenant specifies the condition in a notice to the person to whom or to the place where rent is normally paid;

(2) the tenant is not delinquent in the payment of rent at the time notice is given; and

(3) the condition:

(A) materially affects the physical health or safety of an ordinary tenant; or

(B) arises from:

(i) the landlord's failure to provide and maintain in good operating condition a device to supply hot water of a minimum temperature of 120 degrees Fahrenheit; or

(ii) the landlord's failure to maintain in good operating condition a ramp, elevator, or handrail located on the route to or from or inside of the tenant's dwelling.

SECTION 2. Section 92.056, Property Code, is amended by amending Subsection (b) and adding Subsections (e-1) and (e-2) to

1 read as follows:

2 (b) A landlord is liable to a tenant as provided by this
3 subchapter if:

4 (1) the tenant has given the landlord notice to repair
5 or remedy a condition by giving that notice to the person to whom or
6 to the place where the tenant's rent is normally paid;

7 (2) the condition:

8 (A) materially affects the physical health or
9 safety of an ordinary tenant; or

10 (B) arises from the landlord's failure to
11 maintain in good operating condition or provide a functionally
12 equivalent alternative to a ramp, elevator, or handrail located on
13 an accessible route to or from or inside of the tenant's dwelling;

14 (3) the tenant has given the landlord a subsequent
15 written notice to repair or remedy the condition after a reasonable
16 time to repair or remedy the condition following the notice given
17 under Subdivision (1) or the tenant has given the notice under
18 Subdivision (1) by sending that notice by certified mail, return
19 receipt requested, by registered mail, or by another form of mail
20 that allows tracking of delivery from the United States Postal
21 Service or a private delivery service;

22 (4) the landlord has had a reasonable time to repair or
23 remedy the condition after the landlord received the tenant's
24 notice under Subdivision (1) and, if applicable, the tenant's
25 subsequent notice under Subdivision (3);

26 (5) the landlord has not made a diligent effort to
27 repair or remedy the condition after the landlord received the

1 tenant's notice under Subdivision (1) and, if applicable, the
2 tenant's notice under Subdivision (3); and

3 (6) the tenant was not delinquent in the payment of
4 rent at the time any notice required by this subsection was given.

5 (e-1) If a landlord is liable to a tenant under Subsection
6 (b)(2)(B), the landlord may provide at no cost to the tenant
7 alternative housing accommodations until the condition described
8 by that subsection is repaired or remedied or until the end of the
9 tenant's lease term.

10 (e-2) Nothing in this section may be construed to require a
11 landlord or other property owner to provide alternative housing
12 accommodations or relocation assistance to any person.

13 SECTION 3. The changes in law made by this Act apply only to
14 a lease entered into or renewed on or after the effective date of
15 this Act. A lease entered into or renewed before the effective date
16 of this Act is governed by the law as it existed immediately before
17 that date, and the former law is continued in effect for that
18 purpose.

19 SECTION 4. This Act takes effect September 1, 2025.