TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

A Tenant Rights and Resources Guide
For Tenants Living in a TDHCA Monitored Rental Property

Property Name: Tembell Apartments (program units) and Temple College Apartments

	Management Company*	Property Owner*
Company Name:	N/A	Temple Housing Authority
Contact Name:		Barbara B. Bozon
Phone Number:		254-773-2009
Email Address:		bbozon@cthc.org

** As listed in TDHCA's Compliance Monitoring Tracking System ("CMTS").*

Property Policies, Regulations and Requirements

Texas Administrative Code

- This property received either public funds or low income housing tax credits through the Texas Department of Housing and Community Affairs ("TDHCA"). That means this property must follow certain State rules that are in the Texas Administrative Code or "TAC."
- Part of the TAC says rental properties must have certain policies.
- You can ask your property manager for a copy of the full Written Policies and Procedures part of the TAC (Title 10, Part 1, Chapter 10, Subchapter F, Rule Section 10.610) or you can ask for certain sections or use this short URL to read the full Written Policies and Procedures online: http://ow.ly/GsVS50u0NBW

If you want to know…	Ask for this…
▪ The requirement(s) that you need to meet to live at this property. ▪ How and when you will be notified if your application is denied, and why your application was denied.	Tenant Selection Criteria Policy
How a person with a disability may request certain accommodations, and how long it may take for a response.	Reasonable Accommodation Policy
How a waiting list is opened and closed and how applicants are selected.	Wait List Policy
What must be included in notices about ending your occupancy: ▪ The specific reason why your occupancy is ending. ▪ Information about rights under the Violence Against Women Act ("VAWA"). ▪ How a person with a disability can request a reasonable accommodation in reply to the notice. ▪ Information on the appeals process (if one is used by the property).	Non-Renewal and/or Termination Notice Policy
▪ How to ask for a unit transfer. ▪ What happens to the security deposits for your current and new unit. ▪ Transfers related to reasonable accommodations for persons with disabilities.	Unit Transfer Policy

Texas Property Code

This property must follow all applicable Texas State Landlord-Tenant Laws, which outline the responsibilities of landlords and tenants in residential rental agreements. These laws can be found in the Texas Property Code at https://goo.gl/aHDQ7e.

100 Year Floodplain

☐ (Select only if applicable to this development)

The Development is located within a 100 year floodplain, it is encouraged that resident(s) consider getting appropriate insurance or take necessary precautions.

Land Use Restriction Agreement ("LURA")

- This property must operate in accordance with its Land Use Restriction Agreement ("LURA") as affordable housing, whether or not ownership or management agents change.
- The LURA:
  - Says the property must be suitable for occupancy and in good repair;
  - Sets the maximum rents that can be charged;
  - Prohibits evictions for other than good cause;
  - Prohibits the owner from denying admission to any person exclusively on the basis of such person receiving rental assistance under a local, state, federal or other housing assistance program, including, but not limited to, Section 8 of the United States Housing Act of 1937 as amended.
  - Lists the number and type of property amenities and/or services that must be provided by the TDHCA monitored property. The amenities and/or services required to be provided at this property include: [This section should not be blank when provided to the tenant.]

Common Areas	Unit Amenities	Required Services
N/A	N/A	N/A

- You can request a copy of the LURA from the property or by calling TDHCA at 800-525-0657 or by email to open.records@tdhca.state.tx.us.

Your Rights as a Renter in a TDHCA Monitored Property

In addition to Texas Property Code requirements, **TDHCA Monitored Property Owners Must:**

- Keep properties suitable for occupancy and in good repair consistent with Uniform Physical Condition Standards ("UPCS") published by the U.S. Department of Housing and Urban Development ("HUD").

TDHCA is an equal opportunity provider and employer.

- Estimate utility costs at the property, annually review the utility allowance they calculate, and make utility allowances available for inspection. Utility allowances are used to help determine the amount a property owner will charge for rent.
- Provide reasonable accommodations or modifications for a tenant's disability at the property owner's expense unless the request presents an undue financial and administrative burden on the owner or if the property was awarded tax credits before 2001 (unless otherwise agreed to in the LURA).
- Offer written leases.
- Provide tenants with written notice in the event of lease termination or non-renewal.

TDHCA Monitored Property Owners *Are Not Allowed To:*

- Lock out or seize property of tenants who have not paid rent except by judicial process or as expressly allowed under Texas Government Code §2306.6738 (cases of necessary repair, construction work, emergencies, or in the event of tenant abandonment of a unit).
- Charge rents in excess of program-specific rent limits that are published each year.
- Require households that get rent payment help from a federal program, such as Housing Choice Voucher/Section 8, HOME or other federal program, to establish a minimum income standard that requires more than 2.5 times their portion of the monthly rent or $2,500 whichever is greater.
  - Example: If your household gets federal rent payment help and your household's portion of the rent is $200 per month, you do not have to show that your household makes more than $500 per month ($200 x 2.5 = $500) to be eligible for housing.
  - Example: If your household gets federal rent payment help and your household income is less than $50 per month, you do not have to show that your household makes more than $2,500 per year to be eligible for housing.
- Deny households housing just because of participation in the Housing Choice Voucher/Section 8, HOME or other federal, state, or local rental assistance program
- Refuse to renew the lease or evict tenants without good cause. Landlords may not retaliate against renters who have made a discrimination complaint or who have assisted others in exercising their fair housing rights, including rights to request a reasonable accommodation or modification.

Fair Housing - It's Your Right!

This property must follow federal, state, and local fair housing laws. Fair housing laws say everyone has a right to fair and equal housing choices and opportunities. This means you cannot be denied an apartment based on your race, color, national origin, religion, sex, disability, or whether or not your household includes children under the age of 18.

For example, all properties must:

- Give everyone the same rental terms and conditions.
- Show everyone the location of every available apartment.
- Advertise to everyone broadly and in a non-discriminatory manner.
- Make reasonable accommodations or modifications for people with disabilities.
  - A reasonable accommodation or modification request may be made by a person with a disability or on their behalf. The accommodation or modification must:
    - Be related to a disability;
    - Not cause an undue administrative and financial burden to the owner; and

  - Not change the basic nature of the program governing the property
- If your request is denied, your property representative must talk with you about an alternative option that may meet your disability-related needs.

How to Request Reasonable Accommodations and Modifications

- If you have a disability-related need, ask your property manager for the Reasonable Accommodation Policy. This policy will tell you how to request an accommodation or modification. A tenant should know that a property *can* request verification of a disability if the disability or need for the accommodation is not obvious, but the property *cannot* request information about the nature, extent, or severity of the disability.
  - **Reasonable Accommodations:** A reasonable accommodation is a change in the way things are usually done that may be needed for a person with a disability to use and enjoy a dwelling or common area. Examples include:
    - Allowing a service dog, even if the property has a 'no pet' policy.
    - Providing an assigned parking space closer to a unit.
    - Requesting a unit transfer from an upper floor to a ground floor unit.
    - Requesting interpreters or auxiliary aids to communicate effectively with management.
  - **Reasonable Modifications:** A reasonable modification is a change to an apartment.
    - Property managers may allow a disabled person to make changes to an apartment.
    - The disabled person may have to pay for the changes.
    - Examples of reasonable modifications include:
      - Adding grab bars to a bath tub or shower
      - Widening doorways
      - Adding a ramp to make an entrance accessible
- A tenant should know that owners have a right to deny a request in certain situations.
- Reasonable accommodations or modifications for the tenant's disability may be provided at the owner's expense unless the request presents an undue financial or administrative burden on the owner or the property was awarded tax credits before 2001.
  - If you need to find out if a property was awarded tax credits before 2001 or to request a copy of the LURA, contact TDHCA at 800-525-0657 or email open.records@tdhca.state.tx.us.
- To learn more about Reasonable Accommodations and Fair Housing, visit http://www.tdhca.state.tx.us/fair-housing/index.htm.

Complaints

Fair Housing Complaints

If you believe you have been discriminated against based on race, color, national origin, religion, sex, family status, or disability, you can file a complaint.

- The **Texas Workforce Commission,** not TDHCA, handles complaints under the Fair Housing Act in the State of Texas.

Texas Workforce Commission
Civil Rights Division
1117 Trinity Street, Room 144-T
Austin, TX 78701

Call: 512-463-2642 Toll free: 888-452-4778
TTY: 512-371-7473 Fax: 512-463-2643
Email: housingcomplaints@twc.state.tx.us

TDHCA is an equal opportunity provider and employer.

- The Texas Workforce Commission may file your complaint with the U.S. Department of Housing and Urban Development ("HUD"). However, you can also send a complaint directly to HUD.

  HUD Fort Worth Regional Office
  Office of Fair Housing and Equal Opportunity
  801 Cherry Street, Unit #45, Suite 2500
  Fort Worth, TX 76102

  Call: 817-978-5900
  Toll free: 800-669-9777
  TTY: 817-978-5595

- Some Texas cities have a local fair housing agency that may help with fair housing complaints. Find a list of local fair housing enforcement agencies at www.tdhca.state.tx.us/fair-housing/renters.htm

Property Complaints

If you…	Do this…
Have a concern about… ▪ Property issues, such as parking, broken cars, trash, safety, or pets. ▪ A neighbor is making too much noise or disturbing you. ▪ Your apartment manager is unprofessional or rude. **Suspect that a neighbor…** ▪ Doesn't report everyone living in the unit. ▪ Does not report their total income. ▪ Rents or sublets their apartment. ▪ Is using or selling illegal drugs.	Step 1: Call or write your property *manager* and state your concern. Step 2: Give your property *manager* time to respond to your concern. Step 3: Call or write your property *owner* if the manager has not responded to your concern. Step 4: Give your property *owner* time to respond to your concern.
Need… ▪ Something fixed in your unit, like a leaky faucet, broken smoke detector, defective or missing refrigerator seal, broken window, or some other repair. – You must give the property management seven days to respond to your written request (except if the request is related to an imminent threat to health or safety). ▪ A reasonable accommodation or modification to your unit. You may make the request verbally or submit it in writing. – Generally, property management has 14 calendar days to respond to your request.	Step 1: Ask the management office to submit a written work order or submit a request yourself. Step 2: Give the property management time to respond to your request. Step 3: File a complaint with TDHCA *only if property management has not responded to your request.* Mail TDHCA Attn: Housing Resource Center P.O. Box 13941 Austin, Texas 78711-3941 Fax 800-733-5120 Online www.tdhca.state.tx.us/complaint.htm Individuals with a disability may request a reasonable accommodation to submit complaints over the phone by calling 512-475-3800 or toll free 800-525-0657, 800-735-2989 or 7-1-1 Voice. *TDHCA may take up to 15 working days to respond to your complaint.*

If you…	Do this…
Have a complaint about… ▪ Specific information about property management renting apartments to households that make too much money.	File a written complaint with TDHCA. Mail TDHCA Attn: Housing Resource Center P.O. Box 13941 Austin, Texas 78711-3941 Fax 800-733-5120 Online www.tdhca.state.tx.us/complaint.htm

General Complaints

TDHCA cannot resolve complaints about abuse, criminal activity, rent payment assistance, or other issues. If you have a complaint about these types of activities, please contact the appropriate organization as provided below.

For complaints about…	Contact…
Abuse, neglect, or exploitation of a child, person with a disability, or elderly	Texas Department of Family and Protective Services Toll free (hotline): 800-252-5400
Social services issues, such as Medicaid, Supplemental Nutrition Assistance Program ("SNAP"), Temporary Assistance for Needy Families ("TANF")	Texas Health and Human Services Commission Office of the Inspector General Call: 800-436-6184 Web: http://oig.hhsc.state.tx.us/Fraud_Report_Home.aspx
Criminal activities, such as illegal drug activities, violence	Your local law enforcement office or dial 9-1-1
Rent payment assistance	Call your rent payment assistance provider.

Tenant Rights

Landlord-Tenant Issues

- Visit the Office of the Attorney General ("OAG") at www.TexasAttorneyGeneral.gov/cpd/tenant-rights or call the OAG's Consumer Protection Hotline toll free at 800-621-0508.
- Visit the Texas State Law Library's Landlord/Tenant Law page at http://guides.sll.texas.gov/landlord-tenant-law.
- Texas A&M Real Estate Center has also published a Landlord Tenants Guide which is available at https://assets.recenter.tamu.edu/documents/articles/866.pdf
- Contact the U.S. Department of Housing and Urban Development ("HUD")
  Toll Free: 800-955-2232 Email: TX_WebManager@hud.gov
  TTY: 800-877-8339 Hours: 8:00 a.m. to 4:30 p.m., Monday - Friday
- Regional and Field Offices:

HUD Fort Worth Regional Office
801 Cherry St., Unit 45, Suite 2500
Fort Worth, TX 76102
Phone: 817-978-5600
Fax: 817-978-5569

HUD Houston Field Office
1301 Fannin St., Suite 2200
Houston, TX 77002
Phone: 713-718-3199
Fax: 713-718-3225

HUD San Antonio Field Office
615 E. Houston St., Suite 347
San Antonio, TX 78205-2001
Phone: 210-475-6800
Fax: 210-472-6804

Need Legal Help?

- TDHCA does not provide legal advice or help with resolving landlord-tenant issues.

TDHCA is an equal opportunity provider and employer.

  - TDHCA may try to resolve these issues for reasonable accommodation requests.
- If you received a property violation or eviction notice and need help, contact one of the following organizations.

Legal Aid of Northwest Texas
Call: 888-529-5277 Visit: www.lanwt.org

Lone Star Legal Aid
Call: 800-733-8394 Visit: www.LoneStarLegal.org

Texas Rio Grande Legal Aid
Call: 888-988-9996 Visit: www.trla.org

Volunteer Legal Services of Central Texas
Call: 512-476-5550 Visit: www.vlsoct.org

Effective 02/02/2024