

**SUBJECT:** Disclosure of ownership and management of rental property

**COMMITTEE:** Business and Industry — committee substitute recommended

**VOTE:** 8 ayes — Brimer, Brady, Crabb, Eiland, Giddings, Janek, Rhodes, Solomons

0 nays

1 absent — Corte

**WITNESSES:** For — Pamela Brown, Texas Legal Services Center; Larry Niemann, Texas Apartment Association

Against — None

**BACKGROUND:** The Property Code requires landlords to disclose to tenants the name and address of the property owner of record and the name and address of any offsite management company.

**DIGEST:** CSHB 561 would require a landlord to disclose the same information as under current law to any government employee acting in an official capacity and inquiring in writing about a rental dwelling.

A landlord would be required to disclose the information to a government employee in writing within seven days of receiving an official request. If the landlord did not provide the information, the government employee could obtain a court order directing disclosure and judgments against the landlord for an amount equal to the requester's actual costs in discovering the information, for \$500 and for court costs and attorney's fees.

The apartment's managing or leasing agent would act as the landlord's agent to receive government notices for violations of health, sanitation, safety, or nuisance laws on the landlord's property. The person who collects the rent from a tenant would be the landlord's authorized agent for receiving government notices if the landlord's name and business street address in Texas had not been provided in writing to the tenant or government employee.

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SUPPORTERS SAY:	Some Texas apartment properties are owned and/or managed by business entities off-site, out of state or in another country. This can make it difficult for city and county authorities to find the owner or the manager of an apartment unit. CSHB 561, by requiring apartment managers and owners to provide their current addresses to government employees, would help government offices to contact the responsible individuals who can help resolve problems that arise at apartment dwellings.
OPPONENTS SAY:	No apparent opposition.
NOTES:	The committee substitute would require information to be disclosed not only to a requesting tenant but also to a government employee by official request. The substitute would provide that the duties of the landlord and the remedies of a tenant supersede any other law relating to the disclosure of ownership and management.