

SUBJECT: Requiring a notice to tenants regarding flooding and flood insurance

COMMITTEE: Business and Industry — committee substitute recommended

VOTE: 7 ayes — Martinez Fischer, Darby, Beckley, Collier, Moody, Parker,  
Patterson

0 nays

2 absent — Landgraf, Shine

WITNESSES: For — Lon Burnam, Public Citizen; (*Registered, but did not testify*:  
Jeannie Nelson, Austin Tenants Council; David Foster, Clean Water  
Action; Cyrus Reed, Lone Star Chapter Sierra Club; Gabriela Villareal,  
Texas Conference of Urban Counties; Nate Walker, Texas Housers;  
Joshua Houston, Texas Impact; Jennifer Allmon, The Texas Catholic  
Conference of Bishops)

Against — Kyle Jackson, Texas Apartment Association; Abby Lee, Texas  
Realtors; (*Registered, but did not testify*: D.J. Pendleton, Texas  
Manufactured Housing Association; Daniel Gonzalez and Julia Parenteau,  
Texas Realtors)

DIGEST: CSHB 993 would require a residential landlord to provide to a tenant  
certain information regarding flooding and flood insurance.

The landlord would have to provide a written notice substantially  
equivalent to the following: "This dwelling may be located in an area of  
land designated by the Federal Emergency Management Agency (FEMA)  
as susceptible to flooding. FEMA maintains a flood map service center on  
its Internet website that the public may search by address, at no cost, to  
determine if a dwelling is located in a flood hazard area. Most tenant  
insurance policies do not cover damages or loss incurred in a flood event.  
You should seek appropriate insurance coverage that would cover losses  
caused by a flood."

The bill would require that the notice be included in a written lease and printed in underlined or boldfaced type, or in a separate document given to the tenant before execution of the lease.

If a landlord failed to provide this notice and a tenant suffered loss or damage to personal property as a result of a flood, the tenant would be allowed to terminate the lease by providing written notice to the landlord.

The bill would take effect September 1, 2019, and would apply to a lease entered into on or after the effective date of the bill.