

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	HB3095
Version:	FA1
Request Number:	10710
Author:	Tedford
Date:	3/13/2024
Impact:	\$0

Research Analysis

The floor substitute for HB 3095 prohibits landlords from retaliating against tenants for exercising their rights in good faith, giving notice to exercise a remedy, complaining about code violations, or forming tenant organizations within 60 days. Retaliatory actions include eviction, increasing rent, or interfering with tenant rights. The measure details valid reasons for eviction that are not deemed retaliation.

Tenants who face retaliation may recover damages, including one month's rent and \$500, actual damages, court costs, and attorney's fees. If a tenant files a suit in bad faith, the landlord may recover possession of the dwelling unit and a civil penalty.

CHANGES IN FLOOR SUBSTITUTE FROM COMMITTEE SUBSTITUTE:

The floor substitute requires a tenant to notify a landlord of unresolved code violations before making a complaint to a governmental agency and includes intentional animal-related damages as a valid reason for eviction. The substitute also removes decreasing services as a form of retaliation, the section allowing retaliation to be a defense in eviction suits, and the formation of a tenant organization as a protected action by a tenant against retaliation. Additionally, the substitute decreases the timeframe in which landlords are prohibited from retaliating.

Prepared By: Autumn Mathews

Fiscal Analysis

This measure relates to civil procedure between landlord and tenant, preventing certain action against tenant. In its current form, HB3095 is not anticipated to have an impact on state budget or appropriations.

The FA1 modifies procedure related to the civil actions in the measure. It does not create fiscal impact.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.

