

San Antonio and Bexar County Eviction Prevention Toolkit

Created by the
South Alamo Regional Alliance for the Homeless (SARAH)
Housing Strategies Workgroup

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Frequently Asked Questions about Preventing Evictions

The Housing Strategies Workgroup of the South Alamo Regional Alliance for the Homeless (SARAH) is a group of over 50 rental housing providers, case managers, advocates, and local government representatives working together to ensure the private housing market is accessible to the most vulnerable San Antonians.

SARAH's Housing Strategies Workgroup has compiled the following information for rental housing providers who want to help their tenants succeed where they are, rather than moving towards eviction.

GENERAL INFORMATION

Q: Why should landlords and tenants work together?

A: **It is critical for the health & wellbeing of renters and our community.** Our clients include people working on the front lines of the service industry, veterans, people who have experienced trauma such as homelessness or past eviction, people who are recovering from mental illness, and so many more. When people lose housing, they are set back from recovery and our social services face greater strain.

Partnership is the best way to ensure rent is paid. Eviction with a judgement for past due rent does not mean a tenant can or will pay. Working with an agency is the best way to ensure the tenant stays housed and rent is paid.

Q: What strategies can landlords use to keep tenants housed?

A: **Let your tenants know you are willing to work with them before there is an issue.**

Many tenants are afraid to communicate with their landlord that they are struggling. Being proactive and explicit about your willingness to help can go a long way, especially for tenants who have previous experience with trauma or are living independently for the first time or had a past landlord experience that may lead them to believe they should not reach out to you.

Make sure all your tenants know about all the resources available to them: Offering resources can be a helpful way to start a dialogue with your residents. The second page of this document includes a helpful list of local resources that you can copy and share with your residents.

If your resident has worked with an agency before, reach out to the case manager as soon as you know the resident is struggling. Case managers are there to help solve problems.

Q: What if a tenant asks a landlord to stop or delay the eviction because doing so would negatively impact their disability?

A: **Then that disabled tenant has in effect submitted a reasonable accommodation request which the landlord must evaluate and approve if reasonable.** Under the federal Fair Housing Act, it is illegal for a covered housing provider to refuse to make a reasonable accommodation (i.e., a change or exception) with regard to the implementation of its rules, policies, practices, or services if the exception is reasonable and necessary due to the tenant's physical or mental disability. Since a landlord's specific rules, policies, or practices regarding evictions may have a different effect on tenants with disabilities than on other non-disabled tenants, treating tenants with disabilities the same as others will sometimes deny their fair housing rights. Tenants with disabilities, including those who are older and have certain underlying medical conditions, are more vulnerable and at a higher risk for suffering a severe, life-threatening response if exposed to COVID-19.

Examples of reasonable accommodations could include the following: rescinding or postponing an eviction and allowing a disabled tenant to set up a payment plan to satisfy rent arrears, agreeing to accept rent payments from a third party, changing a rent payment due date to coincide with the date the tenant receives their disability benefits, allowing additional time to vacate the unit, releasing them from the lease without penalties or fees, or other reasonable alternatives.

Reminder: You can look at the third page of this document for resources not only to help your tenant, but you also can reach out to answer questions on how you can meet your tenants needs.

IF THERE IS NO WAY FOR THE TENANT TO STAY IN THEIR UNIT

Q: What should a landlord consider if the tenant must leave the property?

A: **Consider releasing the tenant from their lease to keep their rental history clean.** This makes it much easier and more cost effective for them to find new housing and causes less strain on public resources. Plus, it saves you court costs. As noted before, ensure the case manager knows when you're going to release the tenant from the lease, so they can be sure to help with relocation.

Know that the eviction process is long, costly, does not ensure you will be paid. Even a judgement that includes back-due rent does not mean the tenant will ever be able to pay. The most likely path to recovering lost rent when the tenant cannot pay is to work with an agency, rather than going to court. Self-help evictions are not allowed in Texas, this means that a landlord must follow a court process before a tenant is physically removed (i.e. evicted) from a rental.

Understand that many people misinterpret Notices to Vacate as evictions. If you must issue one, make sure the resident understands what it is and is not.

If you must issue a notice to vacate, the City of San Antonio requires that you include a Notice of Tenants' Rights along with the notice beginning July 25th. This document connects the resident to resources and helps explain what a notice to vacate is.

Many of the resources listed on page 4 can help residents who must relocate.

Resources to Help Tenants Stay Housed

HELP PAYING RENT OR UTILITIES		
PROGRAM	DESCRIPTION	CONTACT
AACOG Alamo Service Connection	Utility payments and a housing voucher program for individuals 18-61 years old with disabilities.	210-477-3275 info@askasc.org www.askasc.org
City of San Antonio Emergency Housing Assistance Program	Rent, mortgage, utility, and internet assistance to qualifying individuals or families. In addition, qualifying households will receive \$150-\$300 (based on household size) for food and other necessities.	(210) 207-5910 www.sanantonio.gov/emergencyhousingassistance For utilities only: dhs.mendixcloud.com/
SAMMinistries	Rent, mortgage, utility assistance to qualifying individuals or families. Can also help relocate.	(210) 340-0302 www.samm.org/get-help
St. Vincent de Paul	Rent, mortgage, utility assistance to qualifying individuals or families. Can also help relocate.	(210) 220-2463 www.svdpsa.org/gethelp
American GI Forum	Services for veterans: emergency housing for homeless, financial assistance for rent, and community resources through case management. Can also help relocate.	(210) 234-4892 www.agif-nvop.org/
Endeavors	Services for veterans: emergency housing for homeless, financial assistance for rent, and community resources through case management.	(210) 469-9664 www.endeavors.org
Center for Health Care Services	Housing vouchers and assistance for individuals with mental health or substance use disorders.	(210) 261-1250 www.chcsbc.org/

Tenants who are facing immediate homelessness can call the City of San Antonio's Homeless Hotline at (210) 207-1799. SARA can also provide referrals accessible at www.sarahomeless.org.

For more resources, visit www.SACRD.org.

SACRD is a comprehensive directory of local resources to help residents meet their basic needs.