

# RentWise SA

## Rental Housing 101: A Landlord's Guide

presented by  
**San Antonio Legal Services Association**  
and



# Welcome



## **Thank you for being here today!**

Please hold questions until the section prompts so we can cover all the material. Q&A cards are also available at the sign-in desk. Try to generalize your questions rather than use specific examples.

## **Thank you to our resource partners:**

- San Antonio Apartment Association
- National Association of Residential Property Managers
- San Antonio Water System (SAWS)
- Bexar County Dispute Resolution Center



**CITY OF SAN ANTONIO  
NEIGHBORHOOD & HOUSING  
SERVICES DEPARTMENT**

**SALSA**  
San Antonio Legal Services Association

# Upcoming Session Information

**Saturday, July 12 | 4:30 - 6 P.M.**

Julia Yates Semmes Branch Library, 15060 Judson Rd

**Saturday, July 26 | 10 - 11:30 A.M.**

Walker Ranch Senior Center, 835 W Rhapsody Dr

**Monday, August 4 | 6:30 - 8 P.M.**

Alamo Colleges District Boardroom, 2222 N Alamo St

**Tuesday, September 9 | 6:30 - 8 P.M.**

Wheatley Heights Sports Event Hall, 200 Noblewood Dr

Registration available online at [publicinput.com/rentalhousing101](http://publicinput.com/rentalhousing101). You do not need to register in advance. Sign-in begins 15 minutes before the session starts. Each workshop will cover the same material.



For event registration, please scan the QR code.



**NEIGHBORHOOD &  
HOUSING SERVICES**

**SALSA**  
San Antonio Legal Services Association

For more information, visit: [publicinput.com/rentalhousing101](http://publicinput.com/rentalhousing101)



# RentWise SA - Resources

[www.sa.gov/tenantsrights](http://www.sa.gov/tenantsrights)

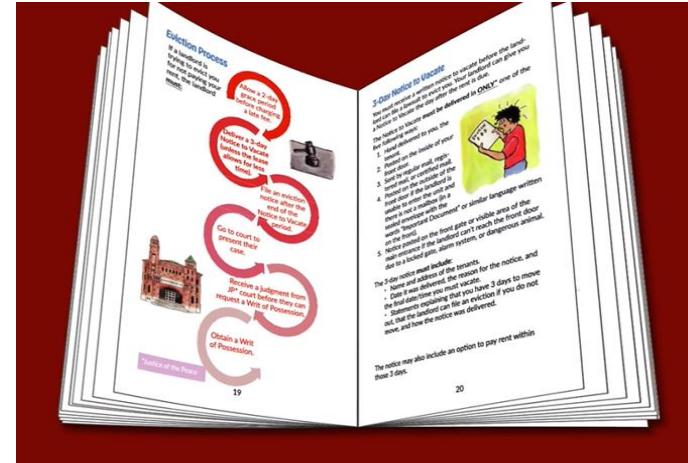
## RIGHTS, RESPONSIBILITIES, & RESOURCES

### AS A RENTER

Local, state, and federal protections exist for renters.

Learn more at [SA.gov/TenantsRights](http://SA.gov/TenantsRights) or scan the QR code below.

NOTICE TO VACATE	Tenant Rights	Explanation	Legal Protections	Contact
	What do I do if I receive a Notice to Vacate for Non-Payment of Rent?	You do not need to immediately leave your home when your rental housing provider gives a Notice to Vacate. You will not need to leave unless you are evicted.  You should: 1) Talk to your rental housing provider about starting a repayment agreement plan. 2) Look for rental assistance programs. 3) Make plans to attend your eviction hearing to make your case. If you do not attend, you will automatically lose your case.  Your rental housing provider is required to provide you with a copy of the Notice of Tenants' Rights within 1 day of the date they issue a Notice to Vacate or nonpayment of rent.	Notice of Tenants' Rights City Ordinance.	Code Enforcement - Development Services Department of the City of San Antonio; call 311.
LEASE	If I ask for a copy of my lease agreement, is the rental housing provider required to give it to me?	Yes, if you request it, your rental housing provider is required to give you a copy of the lease, including leases that are renewed. Your lease should have the terms and conditions for your housing. Therefore, it is important that you keep a copy for your records.	Texas Property Code Section 92.024.	Speak to your rental housing provider or the property manager first for help.  For legal assistance with the eviction process, you may contact Texas RioGrande Legal Aid. Contact Info: Call 210-212-3703 or Email: RightToCounsel@tria.org.
REPAIRS	I need essential repairs made to my unit, what should I do?	Under Texas law, you have the right to safe and healthy living conditions. Property owners must comply with the City's Property Maintenance Code and follow-up on requests for repairs. Do not withhold your rent if your rental housing provider is not making repairs, as this can lead to an eviction. Make sure you make requests for repairs as outlined in your lease. Document your written repair requests with certified mail delivery. If your rental housing provider is not responsive, call 311.	Texas Property Code Section 92.056/San Antonio Property Maintenance Code.	Code Enforcement - Development Services Department of the City of San Antonio; call 311. For legal assistance you may contact Texas RioGrande Legal Aid. Contact Info: Call 210-212-3703 or Email: RightToCounsel@tria.org.
DISCRIMINATION	What if I feel like my rental housing provider is discriminating against me?	You have the right to not be discriminated against based on your race, color, national origin, religion, sex, familial status, disability, marital status, sexual orientation, or gender identity. Your access to your housing or your housing application cannot be denied for any of the reasons listed above.	Federal and Texas Fair Housing Act/ City of San Antonio Non-Discrimination Ordinance.	City of San Antonio's Fair Housing Program: Call 210-207-5300  cont.»



## Disability and Language Access

City of San Antonio  
5.96K subscribers

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## What can I find here?

- Video series
- Events
- Council Resolution
- Notice of Tenants' Rights
- Other languages available
- FAQ document

**Please complete our exit survey!**

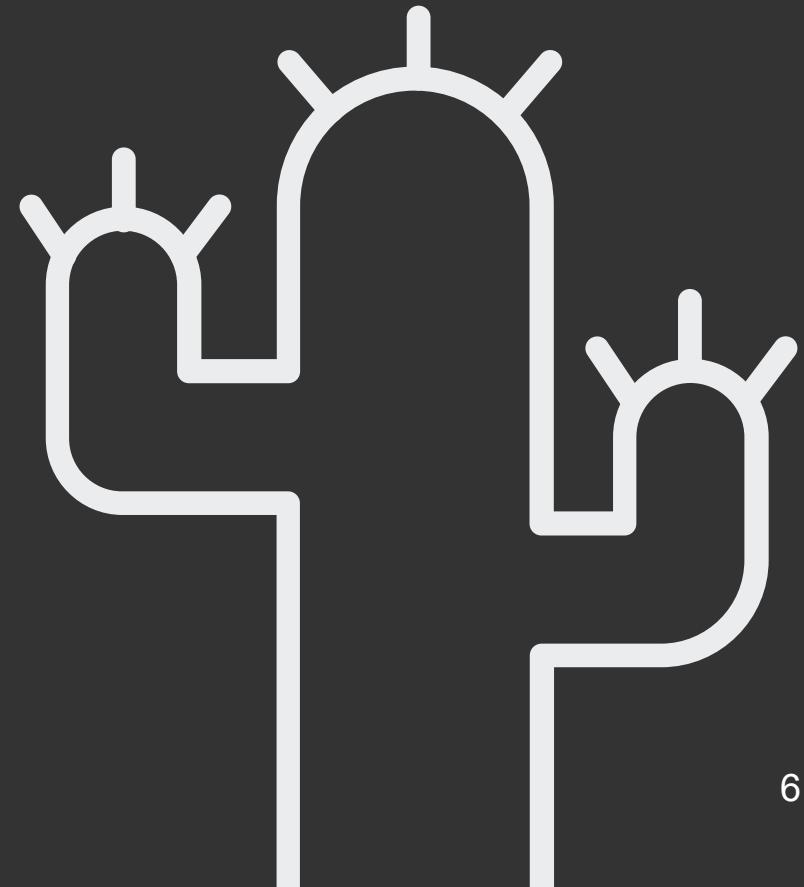


# **Essential Components of an Effective Lease Agreement in San Antonio**

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*A Guide for Rental Housing  
Providers*

*San Antonio Legal Services Assn.  
John D. Wittenberg, Jr.  
Jackson Walker, LLP*



# Introduction

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- Purpose: To help rental housing providers understand and implement the key elements of a legally sound and effective lease agreement in San Antonio.
- Importance: Protects both landlord and tenant, ensures compliance with Texas and local laws, and reduces disputes.



# Legal Framework

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- Texas Property Code governs most residential leases.
- San Antonio has additional local ordinances, such as:
  - Local Non-Discrimination Ordinance,
  - Proactive Apartment Inspection Policy,
  - Short-Term Rental Ordinance,
  - Housing Voucher Incentive Policy
- Always use written leases for clarity and enforceability.



# Best Practices



- Use clear, plain language.
- Review and update lease templates regularly.
- Consult legal counsel for complex situations.
- Keep thorough records of all communications and transactions.
- Considerations for renting to family members.



# Parties to the Lease

- Clearly identify all adult tenants & the landlord/property manager
- Include full legal names and contact information
- Specify if co-signers or guarantors are required
- Specify emergency contact procedures



# Property Description

- Full address of the rental property.
- Unit number (if applicable).
- Considerations for Accessory Dwelling Units (ADU) / Casitas
- Description of included amenities (e.g., parking, storage).



# Lease Term



- Specify start and end dates (fixed-term or month-to-month).
- Renewal and termination procedures.
- Notice requirements for non-renewal or termination.



# Rent Details

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- Monthly rent amount and due date.
- Accepted payment methods.
- Late fees and grace periods (must comply with Texas law).
- Returned check fees.



# Signatures & Execution



- All parties must sign and date the lease.
- Provide copies to all parties.
- Electronic signatures are valid in Texas.
- Resources available to translate the lease in client's preferred language.



# Common Pitfalls to Avoid



- Vague or missing terms.
- Illegal provisions.
- Inadequate documentation.
- Failure to update lease for law changes.



# Pause For Questions



# Screening Applicants

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- Criminal background checks
- Credit screening
- Fair Housing considerations
- Housing Voucher Incentive Policy & voucher applicants



# Security Deposit



- Amount collected.
- Conditions for withholding or deductions.
- Timeline for return (Texas law: within 30 days after tenant moves out).
- Required written notice of tenant's forwarding address.



# Maintenance & Repairs

- Landlord's responsibilities (habitability, repairs, timelines).
- Tenant's responsibilities (cleanliness, minor repairs).
- Procedures for requesting repairs.



# Maintenance & Repairs Continued



- Consequences for failure to maintain.
- Budgeting for repairs
- Clarifications for Air Conditioning



# Utilities & Upkeep

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- Landlord's responsibilities
- Utility disconnections
- Tenant's responsibilities
- Considerations for Accessory Dwelling Units and separate meters



# Rules & Restrictions



- Occupancy limits & guest policy.
- Pet policies (deposits, restrictions).
- Smoking, noise, and nuisance rules.
- Prohibited activities (illegal conduct, subletting).



# Entry & Access

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- Notice requirements for landlord entry (Texas law: reasonable notice, except emergencies).
- Permitted reasons for entry (repairs, inspections, showings).



# Accessibility



- Reasonable accommodations
- Requests for unit modifications based on disability
- Service animal and emotional support animals



# Disclosures & Addenda



- Lead-based paint disclosure (for properties built before 1978).
- Flood disclosure (if property is in a 100-year floodplain).
- Other required addenda (e.g., mold, bed bugs, parking).



# Insurance



- Renter's Insurance – coverage amounts, what's covered vs. not covered.
- Homeowner's Insurance



# Short Term Rentals



- San Antonio's Short Term Rental Ordinance
- Landlord responsibilities



# Pause For Questions



# Default & Remedies (Part 1)



- What constitutes default (nonpayment, violations).
- Remedies available to landlord (eviction, fees).



# Default & Remedies (Part 2)

**NOTICE OF TENANTS' RIGHTS**  
Your rental housing provider is required by the City of San Antonio to provide you a copy of this notice when you are issued a Notice to Vacate for Non-Payment of Rent. If you have a question or need to report a possible violation, contact the City's Code Enforcement Division by calling 210-207-6000 or 311.

**You should know:**

**A Notice to Vacate is not an eviction.**  
It is only the first step in the eviction process and does not mean you must move out immediately. You still have time to resolve the issue. You do not need to leave your dwelling right now and should not move without talking to your rental housing provider first.

**There are resources to help.**  
Scan the QR code with a smart phone or visit [www.sa.gov/nhsd](http://www.sa.gov/nhsd) to access the City's website for more tenants' rights and resources information.

**Steps you can take now:**

Contact your rental housing provider right away to try to work out a payment arrangement.  
Payment arrangements should be in writing and signed by both you and your rental housing provider.

Seek out financial assistance to help cover your rent.  
If you are having trouble paying rent, there may be assistance available through nonprofits or government programs. A few options are below:  
**City of San Antonio:** [www.sa.gov/nhsd](http://www.sa.gov/nhsd) or call 210-207-5910  
**Texas Rent Relief:** [www.texasrentrelief.com](http://www.texasrentrelief.com) or call 833-989-7368  
**San Antonio Community Resource Directory:** [www.sacrd.org/directory](http://www.sacrd.org/directory)

**If you have questions about your rights or need legal assistance, seek out help.**  
City of San Antonio, Fair Housing Team: [www.sa.gov/nhsd](http://www.sa.gov/nhsd) or call 210-207-5309  
City of San Antonio, Right to Counsel Program, administered by Texas RioGrande Legal Aid: [RightToCounsel@trla.org](mailto:RightToCounsel@trla.org) or call 210-212-3703

**What can happen after you receive a Notice to Vacate?**  
After the Notice to Vacate has been delivered, the rental housing provider may file a suit in a Justice Court. The Justice Court will set a date for the hearing which is usually within 21 days of the filing in a court. The Court will notify you in writing of the date you must appear. You are encouraged to appear at the hearing and defend your rights. If you work out an agreement with your rental housing provider before the eviction hearing begins, show the court the agreement. The rental housing provider will usually dismiss the case if you pay everything due before the hearing. If not, the court will hear the case and issue a decision. If you do not appear, a judge may conclude that you do not oppose the eviction and issue judgment for the rental housing provider. You have the right to appeal. If you do not move or file an appeal within five days after the hearing, the rental housing provider can request a Writ of Possession from the Court. A 24-hour notice will be posted on your door before the Writ of Possession is carried out by removing you and your personal belongings from your residence.

**Remember that you have options and there are people who can help you.**  
It is a good idea to communicate with your rental housing provider during the entire process to work out an agreement.

Name of Resident \_\_\_\_\_  
Address/Unit \_\_\_\_\_  
Date of Delivery \_\_\_\_\_  
Delivered By \_\_\_\_\_  
Contact \_\_\_\_\_  
Last revised: May 11, 2023

- Cure periods and notice to vacate requirements.
- Notice of Tenants' Rights Ordinance

# Early Release



- Military deployment
- Family violence / dating violence / sexual assault
- Tenant's death
- Unresolvable repair issues



# Resources

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- Texas Apartment Association (TAA) lease forms.
- SABOR's Landlord Guide
- San Antonio Fair Housing Council
- Texas Property Code (Chapters 91 & 92).
- Texas Department of Licensing and Regulation (TDLR) for mold testing



# Disclaimer

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This presentation and the information provided herein is provided for general informational purposes only and does not constitute legal advice. Nothing contained herein should be construed as creating an attorney-client relationship or as a substitute for obtaining legal advice from a qualified attorney regarding your specific situation. If you have questions or require legal assistance, please consult a licensed attorney.



**Please complete our exit survey!**



**SCAN ME**

# THANK YOU!

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