

The Texas Department of Housing and Community Affairs (Department) has surveyed management companies to determine how maintenance requests are being addressed during the ongoing COVID-19 pandemic. Based on the responses, the Department is issuing the following guidance on what practices owners and management companies may wish to implement.

All respondents indicated that only emergency or life-threatening maintenance issues are being addressed at this time. It is not possible to establish a comprehensive definition of what constitutes an emergency maintenance request; however, one respondent provided the following list of example scenarios:

1. Air-conditioning problems when the temperature is above 80 degrees outside
2. Heating problems when the temperature is below 55 degrees outside
3. Flooding or unstoppable leaks
4. Plumbing stoppage in a residence with one bathroom
5. Fire (the Fire Department should be called first)

The terms of your lease contracts or community policies may provide further guidance as to what constitutes an emergency. The Department expects owners and management companies to exercise good judgement and apply reasonable standards when evaluating work orders.

It may be appropriate for non-emergency work orders to be postponed. Owners are expected to log these requests and respond appropriately once it is safe to do so. The Department will be mindful of this postponement when responding to tenant complaints.

One respondent indicated that they are screening residents prior to entering their homes. Based on the household's responses, additional safety measures may be taken. The screening procedure is as follows:

1. Ask the individual if they have any of the following respiratory symptoms.
 - Y / N Fever
 - Y / N Sore throat
 - Y / N Cough
 - Y / N New shortness of breath

2. Ask the individual if they have:
 - Y / N Travelled internationally within the last 14 days to areas where COVID-19 cases have been confirmed
 - Y / N Worked in a health care setting that has confirmed COVID-19 cases
 - Y / N Had close contact with a person known to have Coronavirus (COVID-19)

Please be aware that maintenance requests may be governed by the terms of your lease contract, the Texas Property Code, local codes, or other regulation. The above is general guidance and does not constitute legal advice. Please consult your legal counsel if you have any questions concerning your legal obligations.

The Department is aware of the unique challenges that this pandemic has presented to people who work in the multifamily housing industry. We extend our gratitude to all involved for their efforts during this unprecedented time.

If you have any questions, please contact Cody Campbell, Manager of Physical Inspections, at cody.campbell@tdhca.state.tx.us.