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Austin landlords file suit to block source of income requirements

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The Austin Apartment Association has filed suit in an attempt to block recent changes to Austin's rental regulations that require most landlords in the city [to accept tenants receiving public housing assistance](#).

By amending the city's "source of income" ordinance, the city of Austin now requires that landlords who own more than four rental units treat public housing assistance vouchers to treat those vouchers as the equivalent of cash.

Members of the Austin Apartment Association expressed their opposition to the ordinance as it wound its way through City Hall. They argue that it could cause rents to rise through a series of unintended consequences ranging from increased regulation litigation, "one-sided" lease contracts dictated by federal housing authorities, increased inspections, tighter controls on rent increases, and mandated utility allowances.

The voucher programs are perhaps best known as Section 8 vouchers, available through the [U.S. Department of Housing and Urban Development's](#) Housing Choice Voucher Program.

"There are sound business reasons why more property owners do not participate in Section 8 and they have nothing to do with the potential residents. The program is historically troubled, bureaucratic and underfunded," said AAA President [Robbie Robinson](#) in a Dec. 12 statement after the suit was filed. "Every property owner wants good residents; what we don't want is a forced partnership with a governmental agency that significantly impacts business and operations."

In its lawsuit, filed in Travis County District Court, the AAA argues that the ordinance interferes with private property rights and places an undue burden on landlords. In place of the current source of income ordinance, the AAA has pushed for a voluntary program that incentivizes participation in housing voucher programs.

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Michael Theis is the Austin Business Journal's digital editor.

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