



## **City of College Station Restricted Occupancy Ordinance (ROO) Talking Points**

### **[City of College Station ROO website](#)**

#### **Dissecting City Council's Reasons for the ROO**

- 1) Protecting "neighborhood integrity"
  - It is true: higher proportion rental neighborhoods (around campus, where students mostly live) would not enact the ROO, as there wouldn't be enough support to enact the measure
  - Neighborhoods with lower proportions of rentals would be those most likely to enact the ROO
    - The point of the ROO is to keep students from flooding these existing low-rental neighborhoods and preserve the character of family-oriented neighborhoods
  - However, all you are doing is discriminating against renters who do live in low rental neighborhoods further away from campus. For the most part, these renters live in these areas because 1) it tends to be cheaper and 2) it tends to be quieter.
    - Therefore, a ROO would disproportionately discriminate against lower-income renters who may not even be students and who rent in those neighborhoods specifically to be away from loud, busy neighborhoods closer to campus
      - Driving out these renters would do nothing to preserve "neighborhood integrity"
  - According to the Department Head of Landscape Architecture and Urban Planning at Texas A&M Shannon Van Zandt, half of the open and active code violation cases are evenly split between owner-occupied and rental housing
    - As Professor Van Zandt put it: "The motivation for such an ordinance must be somewhere else."
  - Given anti-student statements made by members of council and that city council swept aside city staff's concerns and their three viable alternatives to enforcing code violations through means other than relationship status, "somewhere else" is pure anti-student bias, period.
- 2) Keeping single-family homes from having to compete economically with rentals
  - This argument provides a cloak to shield city council's real reasoning, which again is an anti-student bias that drives the desire to protect single-family home neighborhoods

- By forbidding more than two unrelated people from renting a single-family home in a ROO neighborhood, you are forcing those renters to other neighborhoods
  - As competition for property heats up in the limited areas, renters will bid up the price of residences in those areas
    - It really is basic supply and demand: renters will be competing for a smaller pool of rental housing, which drives up rental prices
- It also does not help keep costs reasonable in ROO neighborhoods. According to Professor Van Zandt, “Many may assume that renter-occupancy reduces their property values. I don't believe the research supports that assertion, however.”

3) The city already has the necessary laws in place to deal with the issues of overoccupancy

- Ultimately, I agree with city staff: enforcing occupancy by relationship status requires too much staff time and yields nominal results.
  - The city already cannot adequately enforce the current no more than 4 unrelated law
    - According to the city, to establish the presumption of evidence of no more than 4 unrelated individuals occupying the same residence, code enforcement officers must observe the license plates of alleged occupants for 10 days
    - From there, observation would have to lead to “substantial findings” before code enforcement may present their finding to the city prosecutor
    - Since FY 2017, there have been 202 complaints of occupancy violations. There have been 61 reported complaints, 27 cases and investigations, and 2 cases that have gone to municipal court
      - Majority of violations are resolved due to admittance of guilt by tenants
      - ***According to the city's website itself, investigations require large amounts of staff time and have yielded nominal results due to the inability to prove relation***
- There are other ways to enforce common code violations that do not discriminate against renters, students or otherwise.
  - Staff presented three alternatives, which make more sense than enforcing codes by relationship status:
    - Increasing fines for common code violations, such as trash and parking violations
    - Implementing a points system for rental property, whereby the city would remove the ability to register rental property if excessive code violations occur
    - Requiring more onsite parking

- City council needs to listen to property owners, low-income renters, students, Texas A&M itself, and its own staff and recognize the unfairness and unfeasibility of the ROO.

Questions?

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