



TEXAS MUNICIPAL LEAGUE

Empowering Texas cities to serve their citizens

President **Karen Hunt**, Mayor, Coppell
Executive Director **Bennett Sandlin**

April 27, 2021

The Honorable Joe Deshotel
Chairman, House Land and Resource Management
Texas House of Representatives
P.O. Box 2910
Austin, TX 78768-2910

Dear Chairman Deshotel:

I am writing on behalf of the Texas Municipal League to express our opposition to **H.B. 1877** and **H.B. 1878** by **Gates**. While they differ in their details, both bills would allow an individual to avoid city oversight of repairs to vacant residential buildings.

Specifically, H.B. 1877 would prohibit a city from requiring the owner of a vacant residential building, when repairing damage to the building, to improve the building to a condition that is better than would have been legally acceptable before the damage occurred, including by requiring conformance to updated building code standards. And H.B. 1878 would prohibit a city from requiring an owner of a vacant residential building to obtain a permit to conduct certain repairs to the building.

A review of the purpose of building codes and associated permits demonstrate why, taken together, these bills promote residential buildings that are less safe, are lower quality, and are lower performing buildings. In general terms, compliance with building codes establishes a building's safety and quality, and determines the operational and maintenance costs for the life of a building. Fire safety codes and structural seismic standards are two obvious examples of how building codes work to protect life and safety. In fact, according to [FEMA](#), "the most important factor in saving lives and reducing losses from an earthquake [is] the adoption and enforcement of up-to-date building codes." Building permits are the written authorization issued by a city to engage in construction or repair work. Permits ensure the work is done safely and in compliance with a city's building and zoning codes. For instance, building permits help avoid design flaws and improper installation. In sum, building codes and permits improve the safety, health, and welfare of a building's occupants.

The irony of these bills is that a residential building may be damaged and vacant because it was not built properly in the first place. Perhaps a disaster hit and the residential building wasn't resilient and didn't meet current flood-protection requirements, seismic design standards, or wind-

bracing requirements. If these bills are passed, the same unsafe, low-quality building will be constructed a second time.

These bills impose a high a cost in terms of public health and safety. For this reason, we oppose H.B. 1877 and H.B. 1878.

Thank you for your consideration and please do not hesitate to contact me if I can be of any assistance to you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Monty Wynn', with a stylized flourish at the end.

Monty Wynn
Director, Grassroots and Legislative Services