

**To the Mayor and Members of the City Council****SUBJECT: CITY INSPECTIONS OF BOARDING HOMES, SHORT-TERM RENTALS, AND CONGREGATE LIVING FACILITIES**

This report provides an update on the City's current efforts to inspect and monitor boarding homes, short-term rentals, and other congregate living facilities. These properties can present unique challenges related to zoning, life safety, and neighborhood impacts. The City remains committed to ensuring that these properties operate safely and within compliance.

**Boarding Homes:**

On April 15, 2023, the City Council approved Ordinance No. 25952-01-2023 to establish the inspection, registration and permitting of boarding homes. A Boarding Home Facility is an establishment that:

- Furnishes, in one or more buildings, lodging to three or more elderly and/or disabled persons who are unrelated to the owner of the establishment by blood or marriage.
- Provides community meals, light housework, meal preparation, transportation, grocery shopping, money management and laundry services, or assistance with self-administration of medication to residents who are capable of feeding, dressing, moving, self-evacuating, bathing, and attending to other personal needs or maintenance without assistance.
- Does not provide personal care services to residents.

The Code Compliance Department, in coordination with the Police Department, conducts proactive inspections of known and suspected boarding homes. These inspections focus on verifying occupancy limits, permitting requirements, and compliance with safety and building codes.

- Per the Boarding Home Ordinance, a person commits an offense if they own or operate a boarding home facility without a valid permit.
- The permit fee to operate a boarding home facility is \$1,500 for the first year with an annual renewal of \$1,000.
- Suspected boarding homes are often identified through tenant complaints, first responder referrals, or neighborhood concerns.
- Since 2023, the Code Compliance Department has investigated 550 properties, received 72 permit applications, issued 53 permits, 8 renewals, and collected \$103,000 in permit fees.
- Since implementation, the Police Department has executed 12 active warrants, made 6 arrests, recovered 3 missing persons, and apprehended 1 individual for parole violations related to a murder conviction.

**Short-Term Rentals (STR):**

On February 14, 2023, the City Council adopted an ordinance establishing registration regulations for short-term rentals (less than 30 days) in response to the growing use of platforms such as Airbnb and Vrbo. The ordinance is intended to ensure the health, safety and welfare of the general public, promote consistent land use and development, and protect landowners and residents of the City. Key provisions include:

- Annual registration is required, with a fee of \$150 for initial registration and \$100 for renewals. Only legally operating STRs are eligible for registration, which is non-transferable and must be completed by the property owner, who must also designate a local responsible party available 24/7. Registrations are subject to revocation in cases of repeated or significant violations.
- STR operators are required to collect and remit Hotel Occupancy Tax (HOT). Collected revenue may not be used for administrative or enforcement purposes.



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- STRs are limited to a single group at a time, with a maximum occupancy of three individuals per bedroom and no more than nine individuals total. All parking must be accommodated on site.
- Events, parties, and outdoor gatherings are prohibited. Outdoor noise and music are not permitted between 10:00 p.m. and 7:00 a.m.
- Property owners must provide guests with clear instructions regarding compliance with local ordinances related to noise, trash disposal, parking, and curfew.
- The advertisement or operation of an unregistered STR is prohibited.

The Code Compliance Department investigates citizen-initiated complaints related to STRs. Since most STR activity occurs online and inside private homes, proving violations can be difficult. Suspected properties are monitored through online platforms, traffic observations, and renter interactions. Citations may be issued based on advertising alone. Since the registration ordinance was adopted, Code Compliance has investigated 393 STR violations.

### Congregate Living Facilities:

Congregate living includes facilities such as lodging houses, community homes, and other group residential arrangements that may not be classified under traditional housing types.

- Inspections focus on habitability standards, overcrowding concerns, and zoning compliance.
- Staff collaborate with social service providers to understand the operation and intent of these facilities and distinguish between permitted and non-permitted uses.
- Community Homes are state-registered and licensed under Texas law, Chapter 123 of the Texas Human Resource Code.

Since 2023, the Code Compliance Department has conducted inspections of 6 group homes (types I and II), 7 halfway houses, 103 lodging houses, and 116 community homes.

The Residential District Use table below shows the zoning districts where these uses are allowed.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts			In NR Table	Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/CUP			
Group Living	Boarding home facility	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*				5.153
	Lodging house												p*	p*	p*				>>	5.107A
	Community home	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*				>>	5.110
	Fraternity or sorority house													P	P				>>	
	Group home I												p*	p*	p*				>>	5.115
	Group home II													p*	p*				>>	5.115
	Halfway house																CUP		>>	5.147
	Shelter																CUP*		>>	5.155

### Enforcement

Below are the most common citations issued for boarding homes, short term rentals, and congregate living facilities. Upon conviction, each misdemeanor is punishable by a fine not to exceed \$2,000 for violations involving fire safety, zoning, or public health and sanitation, or not more than \$500 for all other violations, plus \$76 in state-mandated court costs.

**INFORMAL REPORT TO CITY COUNCIL MEMBERS****No. 25-0103****September 9, 2025**

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Citation Code	FY2023	FY2024	FY2025	Grand Total
<b>Boarding Home Facility</b>				
BH - No Permit - (09980)	0	7	0	7
BH - Fail to Perform Required Duties - Violate Article XIV Generally (09983)	0	0	13	13
BH - Minimum Building Standards Ordinance (50014)	76	109	84	269
<b>Short-term Rental</b>				
STR (Illegal Zoning)- Advertising, Renting, Leasing w/o Registration - (50304)	43	128	109	280
STR (Legal Zoning) - Operating w/o Registration - (50305)	0	1	2	3
STR - Violate Article XIII Generally - (50309)	0	0	1	1
<b>Lodging House, Community Homes, Group Homes</b>				
Lodging House, Community Home, Group Home - (59400)	273	212	206	691
<b>Grand Total</b>	<b>392</b>	<b>457</b>	<b>415</b>	<b>1,264</b>

The City remains committed to identifying, inspecting, and regulating boarding homes, STRs, and other congregate living facilities to ensure health, safety, and neighborhood integrity. Coordination across departments and ongoing community engagement are essential to this effort. For any questions on this report, please contact Brian Daugherty, Code Compliance Director.

**Jesus "Jay" Chapa**  
**City Manager**