TABLE OF CONTENTS	NOTES:
INTRODUCTION	. 9
DEFINITIONS	11
CHAPTER 1 The Texas REALTORS® Residential Leasing	
and Property Management Agreement	13
License Requirement	13
Agency	14
The Residential Leasing and Property Management Agreement	14
Special Issue: Foreclosure & the Tenant	19
Frequently Asked Questions	26
Applicable Texas REALTORS® Forms	29
Applicable load NEAETONE Forms	
CHAPTER 2	
9	31
	31
Application Fees & Application Deposits	31
Tenant-Selection Criteria	32
Fair Housing Issues	33
The Credit Report	33
Privacy Policy	34
Record Retention	36
Disposal of Records	36
Accepting or Rejecting the Applicant	37

NOTES:	Frequently Asked Questions	39
	Applicable Texas REALTORS® Forms	41
	Tenant Application Process Checklist	43
	CHAPTER 3 Fair Housing Issues	45
	Federal Fair Housing Act	
	Prohibited Acts	
	Exemptions	46
	Other Laws and Rules Affecting Fair Housing	47
	Advertising	48
	Fair Housing Poster	50
	A Closer Look: Familial Status and Disability	51
	Frequently Asked Questions	64
	Applicable Texas REALTORS® Forms	67
	CHAPTER 4 Repairs	69
	Landlord's Duty to Repair	
	Liability of Landlord & Tenant's Remedies	
	Tenant's Duty to Repair	
	Liability of Tenant and Landlord's Remedies	74
	Casualty Loss	75
	Security Devices	
	Smoke Alarms	78
	Fire Extinguishers	79
	Frequently Asked Questions	81

CHAPTER 5		NOTES:
Security Devices, Smoke Alarms, & Fire Extinguishers	83	
Security Devices		
Smoke Alarms		
_		
Frequently Asked Questions		
Security Device Quick Reference Table	100	
CHAPTED C		
CHAPTER 6 Security Deposits & Trust Accounts	101	
Holding the Security Deposit	101	
Refunding the Security Deposit	104	
Retaining the Security Deposit		
Liability	106	
Optional Fee in Lieu of Security Deposit		
Frequently Asked Questions		
• •		
Applicable Texas REALTORS® Forms	113	
CHAPTER 7		
Lease Termination and Special Statutory Rights	115	
Methods of Termination	445	
Expiration	445	
Agreement		
Breach	118	
By Operation of Law	120	
Frequently Asked Questions	130	
Applicable Texas REALTORS® Forms	132	

NOTES:	

CHAPTER 8

Evictions	133
Notice Requirement	133
Filing an Eviction Suit and Serving the Tenant	134
Eviction Trial	136
Writ of Possession	137
Appeal	137
Eviction Trial Checklist	140
Applicable Texas REALTORS® Forms	141



INTRODUCTION

The Residential Property Management Resource is designed to be used as a reference tool for all Texas REALTOR* members, those who engage in residential leasing and property management full time, and for those who may only engage in it part time.

The *Resource* is divided into eight chapters and covers some of the most important aspects of leasing and property management, including the property management agreement, the tenant application process, fair housing issues, repairs, security deposits & trust accounts, lease termination, and evictions. However, it is not the intention of the Texas REALTORS* that these materials be all-encompassing. Members should take care to ensure that all relevant rules or laws affecting leasing or property management are complied with.

NOTES:	
NOTES:	