

ARTICLE III.

MINIMUM STANDARDS.

SEC. 27-11. MINIMUM PROPERTY STANDARDS; RESPONSIBILITIES OF OWNER.

(a) In general.

(1) The regulations in this article are minimum property standards for vacant and occupied buildings, properties, and structures. In addition to the minimum property standards, all buildings, properties, and structures must comply with all federal, state, and local laws and regulations, including the construction codes.

(2) The minimum property standards are intended to complement existing laws and regulations. If any provision of this chapter is less restrictive than another applicable law or regulation, the more restrictive law or regulation shall apply.

(3) An owner who enters into a written lease shall, upon the occupant's request, provide the occupant with a written lease in the occupant's primary language, if the primary language is English, Spanish, or Vietnamese.

(b) Repairs. All repairs required by this section must be performed in a workmanlike manner and in accordance with all applicable federal, state, and local laws, rules, and regulations, including the construction codes.

(c) Property standards. An owner shall:

(1) maintain his or her premises in operating condition without any holes, excavations, or sharp protrusions, and without any other object or condition that exists on the land and is reasonably capable of causing injury to a person;

(2) securely cover or close any wells, cesspools, or cisterns;

(3) provide solid waste receptacles or containers when required by Chapter 18 of this code, as amended;

(4) provide drainage to prevent standing water and flooding on the land;

(5) remove dead trees and tree limbs that are reasonably capable of causing injury to a person;

(6) keep the doors and windows of a vacant structure or vacant portion of a structure securely closed to prevent unauthorized entry; and

(7) protect, by periodic application of paint or other weather-coating materials, any exposed metal or wood surfaces from the elements and against decay or rust.

(d) Structural and material standards.

(1) In general. An owner shall maintain structural members free from deterioration so that they are capable of safely supporting imposed dead and live loads.

(2) Construction materials. An owner shall maintain building and structural materials, including wood, gypsum products, glass, fiberglass, paper, canvas, fabric, plastic, vinyl, masonry, ceramic, plaster, brick, rock, stucco, slate, concrete, asphalt, tin, copper, steel, iron, aluminum, and other metals, in operating condition.

(3) Roofs. An owner shall:

(A) maintain roofs in operating condition, free from leaks, holes, charred or deteriorated roofing materials, rotted wood, and other unsafe conditions; and

(B) maintain gutters and downspouts, if any, in operating condition and securely fastened.

(4) Chimneys and towers. An owner shall maintain chimneys, cooling towers, smoke stacks, and similar appurtenances in operating condition.

(5) Foundations. An owner shall maintain foundations and foundation components in operating condition, and keep all foundation components securely fastened.

(6) Floors. An owner shall maintain all flooring in operating condition, free from holes, cracks, decay, and trip hazards.

(7) Shower enclosures. An owner shall maintain shower enclosure floors and walls in operating condition, free of holes, cracks, breaches, decay, rust, and rot.

(8) Countertops and backsplashes. An owner shall maintain kitchen and bathroom countertops and backsplashes surrounding kitchen sinks and lavatory sinks in operating condition free of decay, rust, and rot.

(9) Interior walls, ceilings, and surfaces; doors. An owner shall:

(A) maintain all interior walls and ceilings in operating condition;

(B) keep all interior walls and ceilings securely fastened to eliminate collapse hazards;

(C) maintain all interior surfaces, including windows and doors, in operating condition;

(D) repair, remove, or cover all peeling, chipping, flaking, or abraded paint; and

- (E) repair all cracked or loose plaster, wood, or other defective surface conditions.
- (10) Exterior windows and skylights. An owner shall maintain the glass surfaces of exterior windows and skylights so that they are weather tight and in operating condition.
- (11) Exterior doors. An owner shall maintain exterior doors so that they are weather tight and in operating condition.
- (12) Security devices. An owner shall maintain any bars, grilles, grates, and security devices in operating condition.
- (13) Ventilation. An owner shall maintain all natural and mechanical ventilation in habitable rooms in operating condition.
- (14) Balconies, landings, porches, decks, and walkways. An owner shall maintain:
 - (A) all balconies, landings, porches, decks, and walkways in operating condition and securely fastened;
 - (B) support posts, columns, and canopies in operating condition, securely fastened and anchored.
- (15) Handrails and guardrails. An owner shall maintain all handrails and guardrails:
 - (A) in operating condition and securely fastened and anchored; and
 - (B) so that they are capable of safely supporting imposed dead and live loads.
- (16) Steps and stairways. An owner shall:
 - (A) maintain steps and stairways in operating condition, securely fastened and anchored, and free from trip hazards;
 - (B) maintain steps and stairways so that they are capable of safely supporting imposed dead and live loads; and
 - (C) seal any cracks or breaches in lightweight concrete steps, balconies, and walkways.
- (17) Fencing, retaining walls, and barriers. An owner shall:
 - (A) maintain all fences, retaining walls, decorative walls, and barriers in operating condition, and in accordance with the Dallas Development Code, as amended. This requirement applies to a masonry wall only if the masonry wall encloses:
 - (i) a multitenant property; or
 - (ii) a single-family or duplex property where the wall is not shared with another property;
 - (B) repair or replace rotted, missing, fire-damaged, or broken wooden slats and support posts;
 - (C) repair or replace broken, missing, or bent metal posts and torn, cut, bent, or ripped metal fencing materials; and
 - (i) encloses a multitenant property or a single-family property or duplex, or
 - (ii) serves as a retaining wall.
- (e) Utility and appliance standards.
 - (1) Air conditioning.
 - (A) An owner shall:
 - (i) provide, and maintain, in operating condition, refrigerated air equipment capable of maintaining a room temperature of at least 15 degrees cooler than the outside temperature, but in no event higher than 85° F. in each habitable room;
 - (ii) maintain all fixed air conditioning systems, including air conditioning unit covers, panels, conduits, and disconnects, in operating condition, properly attached; and
 - (iii) install window-mounted air conditioning units, if provided, in compliance with the construction codes.
 - (B) It is a defense to prosecution under this paragraph that at least one habitable room is 85° F. at a point three feet above the floor and two feet from exterior walls if the outside temperature is over 110° F.
 - (2) Heating.
 - (A) An owner shall:
 - (i) provide, and maintain, in operating condition, heating facilities capable of maintaining a room temperature of at least 15 degrees warmer than the outside temperature, but in no event lower than 68° F. in each habitable room; and
 - (ii) if provided, maintain, in operating condition, heating facilities in buildings or structures other than dwelling units.
 - (B) It is a defense to prosecution under this paragraph that at least one habitable room is 68° F. at a point three feet above the floor and two feet from exterior walls if the outside temperature is under 40° F.
 - (3) Appliances. If appliances are provided in a rental dwelling unit, the owner shall maintain those appliances, including portable heating units, portable air conditioning units, cook stoves, refrigerators, dishwashers, garbage disposals, ventilation hoods, washing machines, and clothes dryers, and appliance connections, in operating condition.
- (f) Plumbing standards.

(1) Plumbing systems. An owner shall maintain:

(A) all plumbing pipes, fittings, and valves necessary to supply and conduct natural fuel gases, sanitary drainage, storm drainage, or potable water in operating condition; and

(B) all plumbing fixtures free of cross-connections and conditions that permit backflow into the potable water supply.

(2) Fuel gas distribution systems. An owner shall maintain distribution systems that carry fuel gas or liquefied petroleum gas in leak-free condition in accordance with the construction codes. If such a distribution system has been compromised, an owner shall have the system pressure-tested and repaired in accordance with the Dallas Fuel Gas Code, Chapter 60 of the Dallas City Code, as amended.

(3) Plumbing fixtures. An owner shall:

(A) provide each dwelling unit with:

(i) a kitchen equipped with a kitchen sink; and

(ii) a minimum of one toilet; a lavatory sink; and either a bathtub or shower, or a combination of bathtub and shower;

(B) keep all plumbing fixtures connected to an approved potable water supply system;

(C) connect and maintain all plumbing fixtures in operating condition;

(D) equip toilets and urinals with cold potable water under pressure necessary for safe and sanitary operation;

(E) keep all plumbing fixtures connected to a public sewer system or to an approved private sewage disposal system;

(F) maintain all piping distribution systems in operating condition, and eliminate all unsafe, unsanitary, and inoperable conditions in such distribution systems; and

(G) cap each sewer clean-out opening with an approved plug, except when the sewer line is being serviced.

(4) Water heating equipment. An owner shall:

(A) maintain all water heating equipment, including existing fuel-fired water heaters, in operating condition;

(B) maintain all water heating equipment with a pressure relief valve with an approved drain line;

(C) provide and maintain, in operating condition, water heating equipment that supplies hot water at a minimum temperature of 110° F., measured at the water outlet, to every required plumbing fixture;

(D) vent all fuel-fired water heating equipment as required by the construction codes; and

(E) maintain boilers and central heating plants in operating condition.

(g) Electrical standards. An owner shall:

(1) maintain all electrical equipment and materials in operating condition;

(2) maintain electrical circuits and outlets sufficient to safely carry a load imposed by normal use of appliances, equipment, and fixtures, and maintain them in operating condition;

(3) maintain in each habitable room, bathroom, hallway, and stairway of a dwelling unit at least one electric lighting outlet, and the electric lighting outlet must be controlled by a wall switch, unless a wall switch is not required by the construction codes;

(4) maintain all electric light fixtures located adjacent to exterior doors of all buildings or structures in operating condition; and

(5) use extension cords and flexible cords in accordance with the construction codes, and not as substitutes for permanent wiring.

(h) Lighting standards for multitenant properties.

(1) In general.

(A) An owner shall not wire lighting in common areas into individual dwelling units.

(B) An owner shall maintain overall illumination of four footcandles for exterior lighting on the premises, measured in accordance with the Housing Standards Manual.

(2) Exterior lighting.

(A) An owner shall maintain illumination from dusk until dawn:

(i) along pedestrian pathways; in plazas, courtyards, building entrances, parking areas, including carports and driveway areas; and other outdoor spaces commonly used.

(ii) at stairwells, landings, and areas under the lower landing.

(iii) along breezeways, and transitional lighting must be maintained at all entries to a breezeway.

(iv) at cluster or gang mailboxes.

(B) An owner shall maintain exterior lighting so that it reduces conflicts or obstructions between building design and landscape

treatments and provides appropriate crime prevention.

(i) Health standards.

(1) Infestations.

(A) Where evidence of an infestation exists, the owner of a building, structure, or property, including a vacant or occupied one- or two-family dwelling, or multifamily dwelling, shall eliminate the infestation using a person licensed under the Texas Structural Pest Control Act, as amended, and repair any condition that contributes to an infestation.

(B) If the building, structure, or property is a rental property, the owner shall provide notice to the tenants at least 48 hours before taking steps to eliminate an infestation.

(i) Notice must be in writing and must include the method being used to eliminate the infestation.

(ii) A tenant may in writing waive the 48-hour requirement.

(2) Common toilet and shower facilities. An owner shall maintain in operating condition toilet and shower facilities in common area multifamily uses.

(3) Swimming pools, spas, ponds, and fountains.

(i) Water in swimming pools, spas, ponds, and fountains must be maintained to prevent the breeding or harborage of insects.

(ii) Swimming pools, spas, ponds, and fountains must be maintained in operating condition.

(iii) Fences or other barriers enclosing swimming pools, spas, ponds, and fountains must be maintained in operating condition.

(iv) Pool yard enclosures, as defined in Chapter 757 of the Texas Health and Safety Code, as amended, shall be maintained in operating condition and must comply with the standards in Chapter 757 of the Texas Health and Safety Code, as amended.

(4) Sewage overflow. An owner shall sanitize all areas contaminated by sewage overflow immediately after servicing is completed.

(5) Vacant dwelling units.

(A) An owner shall maintain the interiors of all vacant dwelling units free of solid waste.

(B) The owner of a vacant dwelling unit must store any swimming pool chemicals, cleaning chemicals, pesticides, herbicides, rodenticides, fertilizers, paints, solvents, gasoline, gasoline-powered equipment, or combustible materials of any kind in accordance with the construction codes and the Dallas Development Code, as amended.

(j) Security standards. An owner of a multifamily dwelling, other than one exempt from registration under this chapter, shall provide and maintain security devices in each dwelling unit as required by Sections 92.153, 92.154, and 92.155 of the Texas Property Code, as amended.

(k) It is a defense to prosecution under Subsection (a) of this section that the premises is the site of new construction and reasonable and continuous progress is being made to complete the construction.

(l) An owner shall provide a tenant with alternative housing that meets the minimum standards required by this section when:

(1) after being issued a notice or citation for violation of Subsection (e)(2) of this section, the owner fails to repair heating equipment within 72 hours after receiving such notice or citation and the overnight low temperature, as measured by the National Weather Service at Dallas Love Field, is below 40° F. for three consecutive days after receiving such notice or citation; or

(2) after being issued a notice or citation for violation of Subsection (e)(1) of this section, the owner fails to repair refrigerated air equipment within 72 hours after receiving such notice or citation and the daytime high temperature, as measured by the National Weather Service at Dallas Love Field, is 95° F. or above for three consecutive days after receiving such notice or citation.

(m) It is a defense to prosecution under Subsections (e)(1) and (e)(2) of this section and to the alternative housing requirements of Subsection (i) of this section that:

(1) failure to maintain heating and refrigerated air equipment in compliance with those subsections was the direct result of an act of nature or other cause beyond the reasonable control of the owner; or

(2) the owner is making diligent efforts to repair the heating and refrigerated air equipment in compliance with those subsections; if the owner demonstrates to the director that diligent efforts to repair are being made, the director will not issue a notice or citation for a violation of Subsection (e)(1) or (e)(2) of this section.

(n) It is a defense to prosecution under Subsection (e)(2) of this section and to the alternative housing requirements of Subsection (i) (1) of this section that a written contract is in effect requiring the tenant to provide and maintain heating equipment and the owner has provided utility connections for heating equipment in compliance with the Dallas Mechanical Code, as amended, in each room of the structure intended for human occupancy.

(o) It is a defense to prosecution under Subsection (e)(1) of this section and to the alternative housing requirement of Subsection (i)(2) of this section that the structure is not a rental property. (Ord. Nos. 15198; 15372; 15919; 16473; 19234; 20578; 24481; 25522; [30236](#))

SEC. 27-12. RESPONSIBILITIES OF OCCUPANT.

An occupant shall:

- (1) maintain the interior and exterior portions of the person's dwelling unit free from accumulations of solid waste and other conditions that would encourage an infestation;
- (2) remove any animal from a structure if the presence of the animal is a health hazard to an occupant;
- (3) connect plumbing fixtures and heating equipment that the occupant supplies in accordance with the construction codes.
- (4) provide solid waste receptacles or containers when required by Chapter 18 of this code; and
- (5) not alter a structure or its facilities so as to create a nonconformity with Section 27-11 or this section. (Ord. Nos. 15198; 15372; 19234; [30236](#))