



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

|                       |  |                      |                      |
|-----------------------|--|----------------------|----------------------|
| <b>File #:</b>        | BL2020-456   | <b>Name:</b>         |                      |
| <b>Type:</b>          | Bill (Ordinance)   | <b>Status:</b>       | Passed               |
| <b>File created:</b>  | 9/28/2020  | <b>In control:</b>   | Metropolitan Council |
| <b>On agenda:</b>     | 12/15/2020   | <b>Final action:</b> | 12/15/2020           |
| <b>Title:</b>         | An ordinance amending Chapter 11.22 of the Metropolitan Code to require landlords to provide notice to tenants prior to termination of tenancy and non-renewal of a lease. |                      |                      |
| <b>Sponsors:</b>      | Burkley Allen, Kyonzte Toombs, Russ Bradford, Brandon Taylor, Zulfat Suara, Delishia Porterfield, Sean Parker  |                      |                      |
| <b>Indexes:</b>       |  |                      |                      |
| <b>Code sections:</b> |  |                      |                      |
| <b>Attachments:</b>   | 1. Amendment Substitute BL2020-456, 2. Substitute BL2020-456, 3. BL2020-456 as amended (superseded)  |                      |                      |

| Date       | Ver. | Action By                    | Action                              | Result |
|------------|------|------------------------------|-------------------------------------|--------|
| 12/16/2020 | 3    | Mayor                        | approved                            |        |
| 12/15/2020 | 3    | Metropolitan Council         | passed on third reading             |        |
| 12/1/2020  | 3    | Metropolitan Council         | passed on second reading as amended |        |
| 12/1/2020  | 3    | Metropolitan Council         | amended                             |        |
| 12/1/2020  | 3    | Metropolitan Council         | amended                             |        |
| 11/30/2020 | 1    | Affordable Housing Committee | approved with an amendment          |        |
| 11/17/2020 | 1    | Metropolitan Council         | substituted                         | Pass   |
| 11/5/2020  | 1    | Metropolitan Council         | deferred                            | Pass   |
| 10/20/2020 | 1    | Metropolitan Council         | deferred                            | Pass   |
| 10/6/2020  | 1    | Metropolitan Council         | passed on first reading             |        |

An ordinance amending Chapter 11.22 of the Metropolitan Code to require landlords to provide notice to tenants prior to termination of tenancy and non-renewal of a lease.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 11.22 of the Metropolitan Code is hereby amended to create the following new appropriately designed Sections, as follows:

11.22.020 - Required notice for assignment of a residential lease.

A. If a landlord assigns its rights under a residential lease, the assignee shall within fourteen (14) days after the assignment deliver written notice to the tenant stating: (1) the assignee's name; (2) the address, telephone number, and email address of the tenant's main point of contact, whether that be the assignee or the assignee's agent, if applicable; (3) the address to which any rent payments must be delivered; and (4) if applicable, notice to the best of the assignee's knowledge of any intended termination or non-renewal of the lease.

B. This section shall not apply when a written rental agreement addresses the notice required to be given to the tenant of an assignment of the lease by the landlord. This section will apply only to lease agreements entered into on or after April 1, 2021.

11.22.030 - Required notice for termination of non-renewal of a lease.

A. In the absence of a written rental agreement that requires sixty days or more written notice of intent not to renew a lease, a landlord must provide to a tenant written notice of at least sixty (60) days prior to the end of the lease of any intention not to renew the lease.

B. This section shall apply only to leases for a term of one year or greater.

11.22.040 - Conflict with state law

To the extent any provision in this Title 11, Chapter 22 conflicts with a provision of state law, then state law shall prevail.

Section 2. This Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This ordinance, as substituted and amended, adds three new sections to Chapter 11.22 of the Metropolitan Code of Laws to require landlords to tenants prior to termination of a tenancy and non-renewal of a lease.

First, this ordinance requires notice to tenants upon the assignment of a lease. If a landlord assigns its rights under a residential lease, the new assignee would be required to deliver written notice to the tenant within fourteen days after assignment of the lease. This notice would be required to contain (1) the assignee's name, (2) the address, telephone number, and email address of the tenant's main point of contact, either the assignee or the assignee's agent, if applicable; (3) the address to which any rent payments must be delivered; and (4) if applicable, notice to the best of the assignee's knowledge of any intended termination or non-renewal of the lease. This provision would not apply when a written rental agreement addresses the notice required to be given to a tenant of an assignment of a lease by the landlord. It would further apply only to lease agreement entered into on or after April 1, 2021.

Second, the ordinance provides that a landlord must provide a tenant written notice of an intent not to renew a lease at least 60 days prior to the end of the lease. This would apply only to leases for a term of one year or greater and in the absence of a written rental agreement that requires 60 days notice or more of an intent not to renew the lease.

Third, a provision clarifies that, to the extent any provision of Chapter 11.22 of the Metropolitan Code of Laws conflicts with a provision of state law, the state law would prevail.