

The New York Times

For Renters, Harvey Was the First Blow, Followed By Orders to Move

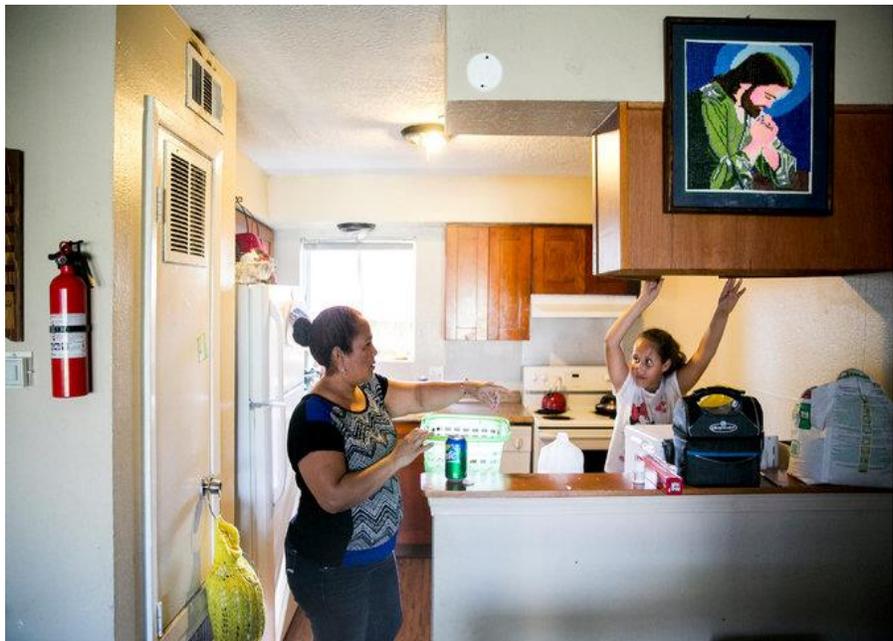
By [MITCH SMITH](#)

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KATY, Tex. — After years of shuttling from apartment to apartment, Emma Nelson thought she would settle down in the orange-brick rental house with a big oak tree and roomy backyard.

“This was the first place I got to tell my kids, ‘This is home,’ ” said Ms. Nelson, a landscaping business owner who moved in last month with her three children and husband here in Houston’s western suburbs. “We weren’t on a six-month lease or a month lease.”

But a few weeks after she unpacked, [Hurricane Harvey](#) crashed into the Texas coast, and Ms. Nelson and countless others in this [drenched region](#) were thrust into housing limbo. After swimming out through the front window during the storm and then clashing with her landlord during the cleanup, Ms. Nelson received an ultimatum to vacate within five days. She hasn’t moved her belongings out, and she believed her family should be allowed to stay through their two-year lease.



Argentina Matute and her daughter Elizabeth Rivera, 10, on Wednesday at their apartment in Houston. Credit Sam Hodgson for The New York Times

“My house is damaged, but not beyond repair,” Ms. Nelson said. “I have water, I have gas, I have power. I’m missing flooring and Sheetrock.”

While homeowners are bound to their flood-soaked properties, for better or worse, [state law](#) allows landlords and tenants to void a lease if a unit is “totally unusable.” But the two parties do not always agree on whether a property meets that condition, and newly homeless renters — no

one is sure yet how many there are — have encountered a crowded, chaotic post-storm housing market. Though many Houston-area landlords have waived fees and offered transitional help, others have been accused of hardball tactics that have added to this region’s pain, [a familiar story line](#) when a major hurricane strikes.

But the sheer scope of Harvey, which killed dozens, [flooded large portions of America’s fourth-largest city](#) and battered much of the Texas coastline late last month, has posed new challenges. The Houston Apartment Association, an industry group that advocates on behalf of property owners, estimated that up to 35,000 units in the area were damaged. And some tenants whose apartments did not flood were still left [careless or jobless by Harvey](#), making September rent payments impossible.

Elizabeth, who cleans houses in Houston and asked that her last name not be published because she is an undocumented immigrant, said her apartment was unscathed. But her clients’ homes all flooded, leaving her no source of income. She said she is late paying rent for the first time in her life.

Elizabeth provided a copy of a letter she had received Wednesday demanding late fees and telling her to leave by Saturday. She was looking for a new job on Thursday and believed she would stave off eviction, but said she wished her landlord had been more compassionate.



*Mold in the closet of Ms. Matute’s apartment on Wednesday.
Credit Sam Hodgson for The New York Times*

For units like Elizabeth’s that were untouched by the storm, leases remain in full effect, and landlords are legally entitled to collect rent and charge late fees. But those property owners have faced pressure to grant extra leeway in the wake of the hurricane.

Members of [The Metropolitan Organization](#), a group of Houston religious congregations, urged Houston’s City Council on Wednesday to establish a grace period for late September rent payments. The poor and undocumented were especially vulnerable, clergy members said.

“Many of them have not worked nine or 10 days now because their businesses have been blown away,” said the [Rev. Edward Gomez](#), an Episcopal priest.

Houston officials said they were limited in what they could do because of state laws governing leases and landlord rights. But Mayor Sylvester Turner called repeatedly for compromise and sacrifice, and offered to have city officials contact landlords facing tenant complaints.

“If there are apartments, for example, that are not habitable, don’t make them pay rent when they’re not able to be in the apartments,” Mr. Turner said. “Let’s do our very best to work with our tenants, with our renters.”

While some renters are fighting to stay in their flood-damaged homes, others are angling to leave. **Argentina Matute** shared photos of moldy walls and wet floors in her Houston apartment. Ms. Matute said she is worried about the health of her children and believes the unit is unlivable. She wants to move to a different unit or apartment complex without spending more money or paying a penalty.

“A lot of renters are scared right now,” said Ms. Matute, who lost her car in the storm. She added: “It’s now a big worry, how do we leave a place that’s so unhealthy? How do we move forward?”

The property manager, Charlotte Eiland, said she had offered alternate housing options for Ms. Matute, including a larger unit that was more expensive, but that they had not reached an agreement. Ms. Eiland acknowledged that Ms. Matute’s unit had been badly damaged by Harvey and said the tenant had the option of moving out.

Ms. Eiland said the storm had also been challenging for property managers, and that she had done her best to help renters.

“I’ve advised everyone to file for” federal assistance, she said. “I’ve advised everyone to have renter’s insurance.”

Andy Teas, a spokesman for the Houston Apartment Association, acknowledged that there had been reports of some landlords being inflexible after Harvey. But overall, he said, “people in our industry are working around the clock to try to help residents.”

In some instances, Mr. Teas said, property managers faced competing pressure as marooned tenants, without a car and staying in a shelter, were unable to return to their home while mold festered inside their unit.

“It’s a real balancing act trying to deal with the health and safety issues you have to deal with while also being sensitive to residents’ belongings,” Mr. Teas said.

In Houston’s Kingwood area, Brandi Anderson said she was impressed with her apartment manager’s response under difficult circumstances.

As water rose during the storm, Ms. Anderson’s landlord sent emails directing her to a rescue crew that led her to safety. And after her ground-level unit was swamped, the apartment

company gave her several days to salvage belongings before asking her to move out. Ms. Anderson said the unit was clearly uninhabitable.

“It was almost five feet, the water line,” said Ms. Anderson, whose floor was covered in silt and who lost many of her possessions. “I opened the door, and I walk inside and just started to cry — knees buckled.”

After staying with friends, Ms. Anderson was able to find an apartment in another part of town, no easy feat as thousands of displaced Texans scrambled for prime housing. She said her new property manager waived the application fee because of her predicament.

In Katy, such an outcome has so far eluded Ms. Nelson, the mother of three who feels she is being wrongfully removed from a rental house.

Ms. Nelson said she and her landlord had initially agreed that she would help with repairs and stay at the house. But a dispute over a cleanup crew soured that relationship, Ms. Nelson said, and led to the demand that she leave. Her landlord declined to comment when reached by phone.

Ms. Nelson said she believed she had a strong legal case to fight eviction but had not decided whether suing would be worth the time and heartache. She is unwilling to move far, though, not wanting to make her children change schools.

“It’s just been traumatic,” said Ms. Nelson, who had been staying with family but visiting the rental house every day.

On Wednesday evening, as her children played in the front yard of the flood-damaged house and an American Red Cross van rolled down the street with free servings of chicken fajitas, Ms. Nelson grasped an envelope sent by her landlord.

The note inside said that formal eviction could be avoided by “IMMEDIATE vacating.”