

ATTENTION: _____

I, _____, applied for a rental unit on _____.

- My application was denied.
- I did not receive notice that you approved my application within 7 days after I submitted it.
- When I requested a rental application, you failed to provide me with your tenant selection criteria and I did not sign an acknowledgment of these criteria.
- (Other): _____

Therefore, I am requesting a full refund of my application fee and/or application deposit, totaling AMOUNT, within 5 days of receipt of this letter. If not, I will use the legal remedies available under Section 92.354 of the Texas Property Code.

Signed _____

Date _____

Current Mailing Address _____

§92.3515, Texas Property Code, Notice of Eligibility Requirements

(a) At the time an applicant is provided with a rental application, the landlord shall make available to the applicant printed notice of the landlord’s tenant selection criteria and the grounds for which the rental application may be denied, including the applicant’s:

- (1) criminal history;
- (2) previous rental history;
- (3) current income;
- (4) credit history; or
- (5) failure to provide accurate or complete information on the application form.

(b) If the landlord makes the notice available under Subsection (a), the applicant shall sign an acknowledgment indicating the notice was made available. If the acknowledgment is not signed, there is a rebuttable presumption that the notice was not made available to the applicant.

(c) The acknowledgment required by Subsection (b) must include a statement substantively equivalent to the following: “Signing this acknowledgment indicates that you have had the opportunity to review the landlord’s tenant selection criteria. The tenant selection criteria may include factors such as criminal history, credit history, current income, and rental history. If you do not meet the selection criteria, or if you

provide inaccurate or incomplete information, your application may be rejected and your application fee will not be refunded.”

(d) The acknowledgment may be part of the rental application if the notice is underlined or in bold print.

(e) If the landlord rejects an applicant and the landlord has not made the notice required by Subsection (a) available, the landlord shall return the application fee and any application deposit.

(f) If an applicant requests a landlord to mail a refund of the applicant’s application fee to the applicant, the landlord shall mail the refund check to the applicant at the address furnished by the applicant.

§92.352, Texas Property Code, Rejection of Applicant

(a) The applicant is deemed rejected by the landlord if the landlord does not give notice of acceptance of the applicant on or before the seventh day after the:

1. Date the applicant submits a completed rental application to the landlord on an application form furnished by the landlord; or
2. Date the landlord accepts an application deposit if the landlord does not furnish the applicant an application form.

(b) A landlord’s rejection of one co-applicant shall be deemed as rejection of all co-applicants.

§92.354, Texas Property Code, Liability of Landlord

A landlord who in bad faith fails to refund an application fee or deposit in violation of this subchapter is liable for an amount equal to the sum of \$100, three times the amount wrongfully retained, and the applicant’s reasonable attorney’s fees.

Certified Mail #: _____

or

Hand-Delivery Witnessed By: _____