

# LOCK AND KEY

What you need to know about security devices if you own or manage any rental properties.

## It's the phone call every landlord dreads.

Your tenant tells you there has been a burglary. Thousands of dollars worth of property has been stolen. You were not the one to break into your tenant's home and steal her belongings, yet could you still face liability? Could you somehow be held responsible? The answer, unfortunately, is yes.

This unwelcome scenario highlights the potential ramifications of failing to follow Texas landlord-tenant laws regarding security devices.

Chapter 92, Subchapter D of the Texas Property Code houses the numerous requirements that comprise the law on security devices. Texas law requires that most rental properties have several security devices in place while a tenant is in possession of the property or else the landlord could face liability.

Knowing the types of devices required and other rules regarding security devices can help keep your tenant safe and you out of trouble.

### Security devices must be rekeyed after each tenant change

A landlord must rekey any security device operated by a key, card, or combination on an exterior door or window at the landlord's expense no later

### If these rules apply to landlords, why would you be held responsible?

In this statute, *landlord* means a dwelling owner, lessor, sublessor, management company, or managing agent, including an on-site manager. Thus, when the statute says that a landlord faces liability, the property management company and/or agent does as well.



A few definitions are important to note:

*Tenant turnover date* - The date a tenant moves into a dwelling under a lease after all previous occupants have moved out.

*Exterior door* - A door providing access from a dwelling exterior to the interior. The term includes a door between a living area and a garage but does not include a sliding-glass door or a screen door.

Additionally, the landlord must rekey at the tenant's expense if requested by the tenant, who can make an unlimited amount of requests.

### Certain security devices are required ... others, only if a tenant requests

The security devices listed in the