

The Student Housing Problem: An Exploratory Study of San Marcos, Texas

By

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Applied Research Project

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Abstract

Purpose: The purpose of this applied research project is to explore the antecedents, processes, and impacts of San Marcos, Texas off-campus student housing policy, with emphasis on installment lease agreements.

Method: The study uses San Marcos, Texas as a case study and focuses on the relationships between Texas State University, purpose-built off-campus student apartments, and the city. The study utilizes pillar questions which uses document analysis, structured interviews, and historical archival methods to collect data.

Findings: Findings showed that many purpose-built student housing complexes do not follow all the regulations under the Texas Property Code. Students also encounter issues with their roommates, excessive charges, and lease durations. Overall, City of San Marcos and Texas State University believe that the ACT agreement improved relationships for all involved, although some believe it is too one-sided.

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About the Author

Anna Vite graduated received her Bachelor of Public Administration at Texas State University at the age of nineteen and will be completing the MPA program at twenty-one. Throughout her time at Texas State University, she completed various internships and worked at the Hays County District Attorney's Office. She now works for the State of Colorado. If you want to reach her for any inquiries, her contact information is annavite97@gmail.com.

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Chapter I: Introduction

Research Purpose

As universities expand in student enrollment, it leads to a shortage of on-campus housing availability. The shortage then sparks private developers to build off-campus apartments specifically aimed at students. However, signing a lease with these off-campus apartments can lead to unintended consequences. The scenario in the chapter explains situations that some students face when they pre-lease an apartment. The purpose of this research is to dive into an area of housing development that does not get much attention in academic research. It also helps universities and students understand how these privatized off-campus student housing apartments affect them, either positively or negatively. College students are a vulnerable population and deserve to have information about their housing options.

Housing Scenario

Betty and Joanna could not wait to get out of the small dorms provided by the university and move into their own apartment. Both were roommates their freshmen year and decided to live together their sophomore year. They signed an apartment lease in October for a brand-new purpose-built student apartment complex that was set to be finished before the beginning of the fall semester. The apartment complex offered luxury amenities that enticed Betty and Joanna to sign. Staff reassured them that the apartment would be ready in time and offer amenities such as a resort style pool, tanning salon, a private shuttle to campus, and modern study rooms. The apartment also offered fully furnished units and rent-by-the-bed leases, meaning that each roommate pays for their room with different leases.

Both roommates started to get concerned about the apartment complex being ready for their move-in date during the summer. They received emails from the apartment complex that construction was taking longer than expected. They called the complex and staff again reassured them that everything would be fine and for them not to worry. Betty and Joanna decided to take their word and focused on buying their apartment decorations and items. They received no additional updates on the construction for the rest of the summer.

On the date of move-in, Betty and Joanna had a large moving truck carrying all their items. As they approached the apartment location, it became apparent that something was wrong. The apartment complex was still clearly under construction and nowhere near ready for tenants to move in. A large line outside of the leasing office could be seen, with worried students and angry parents who thought they were moving into their apartment today. Betty and Joanna, along with the rest of the students and parents, then found out that they cannot move into their apartments as the construction was never finished on time.

Betty and Joanna felt hopeless with their situation. To compensate students, the apartment complex gave them the option to stay in a hotel paid for by the apartment complex or stay with friends. The apartments also gave them gift cards, but they soon found out that they were only able to be used online. Both chose to live in a hotel; however, living in a hotel room without an idea of when they could move out led to them feeling depressed. They were living from a suitcase, did not have access to a kitchen which led to eating a lot more junk food, and they needed to pay for storage for all their items they brought in the moving truck that were going to be for their apartment. As they no longer had a private shuttle to campus, Betty and Joanna struggled to find reliable transportation to their classes. The stress from their living situation affected their studies, and their grades were near failing.

Even though the apartment complex failed to finish construction on time, Betty and Joanna needed to continue paying rent as they signed their lease, which is a legally binding document. Their original move-in date was on August 15, but it was now November and there were no other updates from the apartment complex. Apartment staff did not post updates on the apartment website or on social media and neither could get in contact with anyone who worked there. Every time they drove by the apartment complex, it looked as though no progress had been made on the construction. Fed up with the high rents they paid each month for an unbuilt apartment, they reached out to the Attorney for Students at their university to see their options for breaking the lease. The two friends were able to break the lease with the help of the resources provided by the attorneys; however, they would not receive compensation for the rent money they already paid for while they were living in a hotel. They decided to sign a traditional lease with an apartment complex near campus and were finally able unpack all their items and move into a place that they can call home.

The apartment complex they originally signed a lease with finished construction at the beginning of Betty and Joanna's junior year, a year after it was supposed to be finished. They were not shocked with the news that another purpose-built student housing apartment that pre-leased during their sophomore year did not meet their move-in deadline and now there were more students experiencing the same thing they had gone through the year before. Both roommates vowed to never pre-lease or sign with a purpose-built student apartment for the rest of their college years.

College towns with a booming student population now increasingly experience scenarios such as the one detailed above. Newspaper articles in San Marcos, Texas detail the experiences that students go through when they sign a lease with an apartment complex that did not finish

construction. For example, in 2017, a new apartment complex called The Pointe was scheduled to open by August 15, but students were left stranded without a home when construction did not finish (Lanmon, 2017). Just as in the scenario, students lived in local hotels and with friends, and struggled with unexpected expenses such as storage and food. Residents complained about the lack of communication from the apartment complex.

Texas: A Growing State

Texas experiences immense growth in population every year. According to the official United States Census Bureau website, “Texas continues to have strong population growth in the second decade of the 21st century” (US Census Bureau) with the largest annual state population growth in the United States of America. Most people move to Texas due to the expansion of Texas economy (Texas State Data Center, 2017). The state’s population reached over 28 million in 2018 and continues to grow.

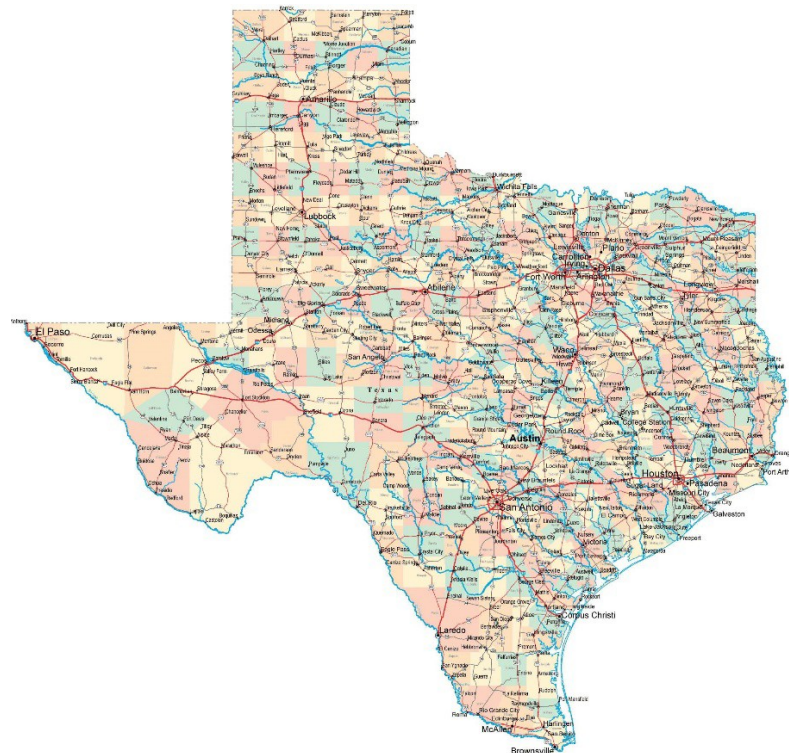


Figure 1. Map of Texas. Retrieved from Orange Smile.

As the population in Texas continues to grow, so does the student population for higher education. The *Enrollment Forecast 2015-2025 for Texas Colleges and Universities* created by the Texas Higher Education Coordinating Board shows the projected increases in student population for public universities, public two-year colleges, and independent universities. In 2000, the data showed the total enrollment for the three types of colleges reached 970,939 students. The future projected enrollment for the year 2025 shows the higher education student population reaching 1,644,227.

With the increase in overall state population and student population, more people seek housing, particularly rental units. The Texas Triangle is an example of how the demand for renting multifamily residential units increased in Texas. The Texas Triangle region includes Dallas-Fort Worth, Houston, Austin, and San Antonio and “is one of the fastest growing and most populous in the U.S.” (Walter and Caine, 2018, p. 2). As the cities grow their urban core, it led to the expansion of rental units in the suburbs. In the 2000s, the suburbs continued to grow; however, development also went back to the inner cities (Walter and Caine, 2018). Both the suburbs and cities in Texas continue to grow in population, leading to the expansion of residential units.

The Texas Triangle also includes many colleges within the region with growing student populations. Big state colleges in the triangle include the university systems of University of Houston, the University of Texas, Texas A&M University, University of North Texas, and Texas State University.

Policy Problem

The problem that Texas, and other states face, is the lack of legislation when it comes to purpose-built off-campus student apartments. These apartments are private businesses, but they also partner with universities to provide housing for their students. Instead of there being state-wide laws, college towns deal with the increasing problems that student housing produces, such as students being displaced by unbuilt apartments. This area of housing also lacks research, meaning that states, cities, colleges, and students do not know about any possible unintended consequences of privatized off-campus student apartments. There is also a lack of research in rent-by-the-bed leases and how they affect the market and students.

The City of San Marcos is an example of how a city needs to get creative to solve the housing problem for students without involving legislation. The creation of the ACT Ally Agreement unites the city, Texas State University, and off-campus purpose-built student apartments and tries to solve issues that students face when renting off-campus. However, many issues still need to be addressed with purpose-built student apartments. Without comprehensive oversight from the state, Texas cities need to learn how to handle the influx of students living in their city limits for a short time period.

ACT Ally Apartments in San Marcos, Texas

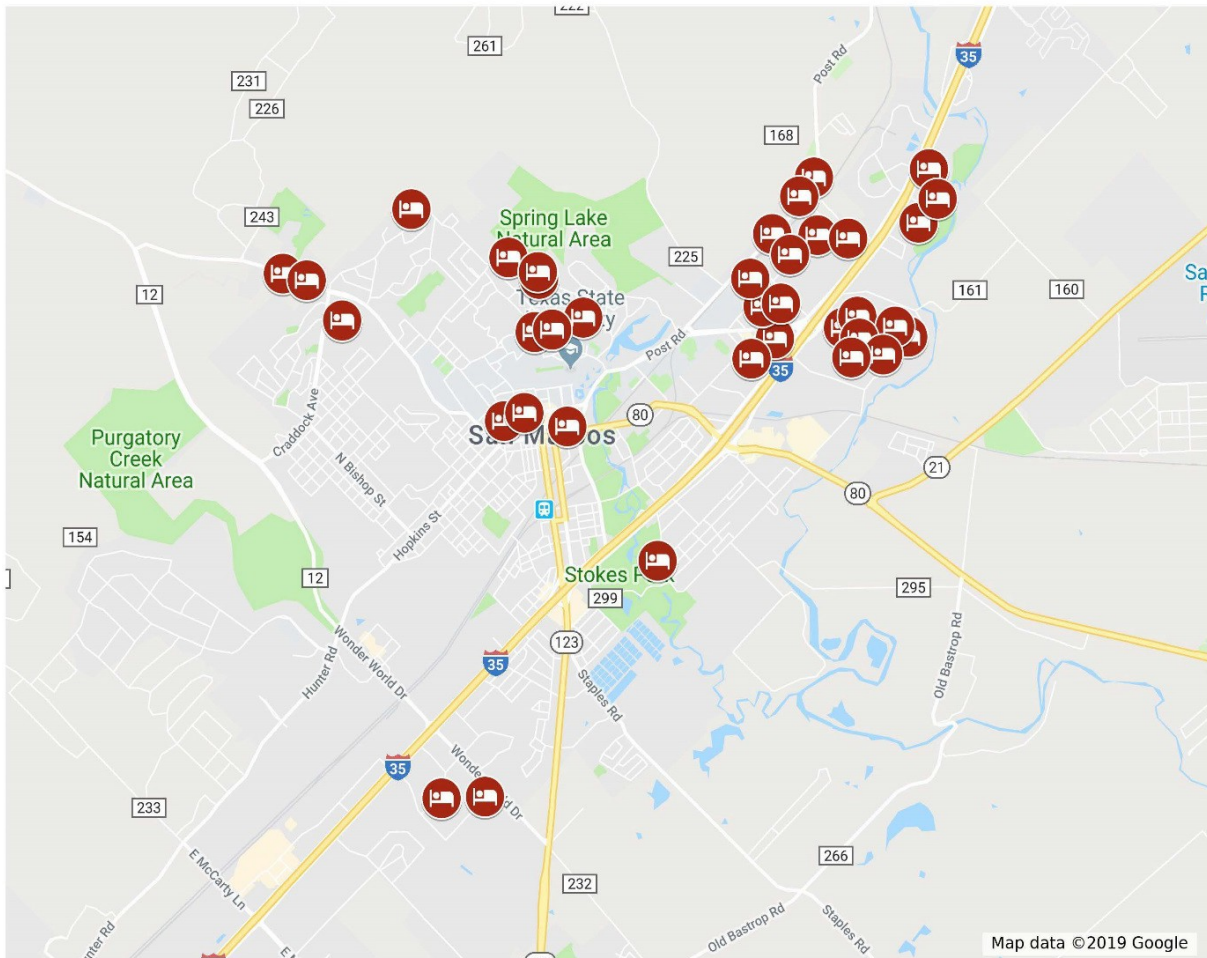


Figure 2. Map created to show the purpose-built student apartments in San Marcos as of the 2018-2019 school year.

Purpose Statement

The purpose of this applied research project is to explore the antecedents, processes, and impacts of San Marcos, Texas off-campus student housing policy, with emphasis on installment lease agreements. Texas is a pro-business and pro-landlord state (Hatch, 2017), meaning that renters have less protection. Texas' increasing student population in higher education institutions

leads to more student renters. As mentioned in the scenario at the beginning of the chapter, student renters face different leases when signing with an off-campus purpose-built student housing facility. However, no current academic studies focus on analyzing the impact that these leases have on student renters. By utilizing archival records, document analysis, and interviews, the study documents the antecedents, processes, and impacts of the privatized housing market in San Marcos, Texas.

Chapter Summary

The chapter provides an overview of the privatized off-campus housing problem. It describes a scenario that many students face when pre-leasing. Texas is a growing state that experiences population booms and Texas higher education institutions also experience growth in their student population. It also describes the lack of literature and research in the privatized off-campus student market areas and how this ARP will provide insight into this topic.

Chapter II: Setting

Chapter Purpose

The purpose of this chapter is to provide background information on San Marcos, Texas and Texas State University. San Marcos and Texas State University are similar in that they are both expanding immensely. By exploring the history of the city and the university, it creates a better understanding of the student housing issues that San Marcos, Texas currently experiences.

San Marcos, Texas

The City of San Marcos, Texas resides in the Texas Hill Country region and is the county seat for Hays County. In 1851, the city was founded. However, the Clovis Indians resided in the area before 1851, making the history of San Marcos over 12,000 years old (*History of San Marcos*, City of San Marcos). The San Marcos River resides within the city limits and is home to the endangered Texas Salamander and the rare Texas wild rice, making environmental protection critical for the river (Smyrl, 2010). While the river hosts various unique species, it is also a popular tourist attraction and San Marcos is known for its popular river tubing during the summer, making tourism a leading industry in the city (*San Marcos History*, City of San Marcos).

The City of San Marcos, Texas is also known for being a desirable and growing city. In the years 2013, 2014, and 2015 San Marcos was named as the fastest growing city in the United States of America by the U.S. Census Bureau (Zillman, 2015). San Marcos also tops other rankings, which the City of San Marcos website likes to showcase. Forbes named San Marcos as the best place to retire in Texas and as one of America's next great metropolis, due to its proximity to both San Antonio, Texas and Austin, Texas along the I-35 corridor (Kotkin, 2016).

The San Marcos River also ranked second in the United States by USA Today for the best river tubing (Best River for Tubing Winners, 2016). Overall, San Marcos, Texas is known for its booming population and outdoor activities.



Figure 3. San Marcos River. Barer, D. (n.d.).



Figure 4. Downtown San Marcos. Retrieved from the Downtown Association of San Marcos.

Texas State University

Texas State University is a public four-year institution located in San Marcos, Texas. The university was founded in 1899 and has undergone various name changes, including Southwest Texas State Normal College, Southwest Texas State Teachers College, Southwest Texas State College, Southwest Texas State University, Texas State University-San Marcos (Texas State University, History and Traditions). It finally settled on the name Texas State University in 2013.

Texas State University's student population steadily increases every year. In 2005, the student population was under 30,000 but by 2010, it reached 32,572 (*Enrollment Forecast 2015-2025*, Texas Institutions of Higher Education). It is projected that the university will reach a student population of 40,604 by 2024 (*Enrollment Forecast 2015-2025*, Texas Institutions of Higher Education). The university is also the 34th largest university in the United States and the fourth largest in Texas. (*2017-2027 University Master Plan*, Texas State University). The university only requires college freshmen to live on-campus due to housing limitations. However, the university increasingly experiences more demand for on-campus housing than supply and in fall 2015, over 800 students were placed on a waitlist to live on campus (*2017-2027 University Master Plan*, Texas State University).



Figure 5. Texas State University Campus. Retrieved from the official TXST Twitter.



Figure 6. Old Main, Texas State University Campus. Retrieved from Texas State University.

Chapter Summary

The chapter described the history of San Marcos, Texas and Texas State University. The city is attracting people due to its location along the I-35 corridor and for its river and outdoor activities. San Marcos continues to grow as a city in population, but so is Texas State University. The university has become one of the largest higher education institutions in Texas. The chapter also provided additional information about the on-campus housing shortage.

Chapter III: Literature Review

Chapter Purpose

This chapter examines the scholarly literature on privatized off-campus student housing and is divided into three parts. The first part of the chapter looks at the historical context of how college enrollment has increased, leading to universities seeking to grow but lacking space on their campuses. It looks at topics such as public-private partnerships and studentification. The second part of the chapter creates pillar questions based on the literature and explains the antecedents, processes, and consequences of the growth of privatized off-campus student housing in San Marcos, Texas. The third section provides a summary of the conceptual framework.

Historical Context

A college diploma has become more common in American society. Most high school graduates enroll in a college to increase their chances at finding a well-paying job (Fenesi and Sana 2015). According to Bromley (2006), a college degree leads to increased opportunities and a higher salary. While the total number of high school graduates expects to decline due to a decrease in birth rates, the overall number of people enrolling in colleges continues to rise with over 10 million undergraduates attending a four-year college in 2012 (Payne et al., 2017). After the baby boomer generation, birth rates began to decline leading to the decrease in high school graduates (Payne et al., 2017). However, the demand for a college degree continues to grow.

Since the demand for a college diploma increased, colleges started enrolling students at record-breaking numbers. To attract top talent, colleges and universities need to have attractive student housing and amenities, which led to student housing becoming a top issue for colleges.

According to Chekis-Gold and Danahy (2012), colleges cannot be competitive if they do not offer quality housing for most of their students, as the type of housing a college offers has become a leading factor in a student's enrollment decision. A student might make a final decision between prospective colleges based on housing decisions.

The rapid boom in student enrollment meant that colleges had to scramble to figure out where all these new students would live while trying to provide competitive amenities that would attract students. Most colleges did not adequately prepare for the new demand for student housing and did not have enough funding to improve their current facilities (McClure et al., 2017). Colleges also do not have unlimited campus space. Many campuses try to create on-campus student housing on the edge of their campuses to accommodate the rising student population (Martin and Allen, 2009). However, building on the campus edge means that colleges encroach on residential neighborhoods which creates opposition from the local community. Eventually, the campus edge will run out of space for more student housing. Colleges needed to find a solution for the demand for housing to be able to stay competitive and it came in the form of private developers.

Private Developers

Since many colleges do not have the funding or the space on campus to create new facilities, they decided to partner with private developers to provide student services. The national focus on healthcare and primary education led to states having less money to allocate to higher education (Bekurs, 2007). Through the involvement of private developers, colleges saw an opportunity to build student housing quickly without raising their debt (McClure et al., 2017). Colleges view these partnerships as an opportunity to provide students with new amenities and to create a cost saving solution for the overall finances of the college.

Private developers often provide services much quicker than a college because colleges tend to have more restrictions. According to a study conducted by Bekurs (2007), colleges can take years to develop an idea before construction on campus begins but private developers do not have the same time constraints. Administrators also do not need to worry about their funds being “raided” by the institution or state. Berkus (2007) explains that funds allocated by a university for a specific project might be taken away, or “raided” to pay for other shortfalls in different departments. By hiring a private developer, a college does not need to worry about their funds being used for different purposes. Also, the ability to start and finish projects faster than a college would be able makes private developers more appealing to administrators. Giving control to a private developer means that a college might save time and money.

Universities already outsource college services to save money. For example, many universities outsource their bookstores and dining services (Bekurs, 2007). Outsourcing became a solution for state higher education institutions in these areas due to their budgets decreasing over time. Universities outsource their bookstores or dining services because the legislature cuts higher education funds for other projects that voters want (Bekurs, 2007). The outsourcing of student housing is the natural progression of institutions relying on outside companies to provide cheaper alternatives for services.

Public-Private Partnerships

Public-private partnerships occur when a public university decides to partner with a private developer. A public-private partnership allows a private entity to generate a profit by becoming involved in a long-term lease or agreement with a public institution (Amram and Crawford, 2011). It is most commonly used when there is no public funding readily available for a project,

which means a public institution needs to bring in a third party to save costs. Three main types of public-private partnerships were identified in the literature by McClure et al., (2017):

1. Land Lease
2. Non-Profits
3. Equity Financing

The first type of partnership, the land lease, creates a partnership for 30 or more years (McClure et al., 2017). The university owns the land, but students pay the private developer through student fees or rent. The second type of partnership creates a non-profit. A non-profit partnership occurs when a college partners with a nonprofit private foundation in a long-term ground lease (McClure et al., 2017). The non-profit partnership claims tax-exemptions due to their non-profit status, which benefits both the university and private developer. Student fees pay off debt owed to the developer, but a college reinvests the money in another program. The final partnership is called equity financing. The partnership occurs when a college agrees to lease their land to a developer, but they require the developer to provide an equity stake (McClure et al., 2017). These three partnerships allow colleges to rid themselves of some of the financial burdens of student housing.

Private developers view public-private partnerships as a good investment. Private-public partnerships mitigate risk because they receive locations that are on or near the college campus, which results in demand for the housing and a guaranteed profit (McClure et al., 2017). The profitability of the industry allows many new players to join in the investment and create various student housing projects. For example, American Campus Communities (ACC) is a real estate company based in Austin, Texas that joined the student housing market. They have since grown and have over fifty-seven student housing projects with their various university clients (Martin

and Allen, 2009). Real estate businesses join the off-campus student housing market to make an easy profit because students always need a place to live while they attend college.

Student Housing Competition

By partnering with private developers, colleges decrease competition. If colleges did not partner with private developers, they must compete with other colleges for superior student housing and with private developers. (Martin and Allen, 2009). The budget constraints colleges face makes it less likely that they can offer the amenities that private developers easily add to their off-campus student housing. Private developers give students resort-style apartments while packing in as many students as they can to ensure the highest profit (Martin and Allen, 2009). At times, private developers build closer to campus than newer dorms located on college campuses (McClure et al., 2017). This means that students would rather live off-campus and be closer to their classes than living in the outskirts of campus, even with newer dorms available. Colleges see private developers as a cost saving solution that entice students to want to attend their colleges.

Colleges also need the aid of developers to add new amenities to established neighborhoods. Colleges have an enlightened self-interest to not only have new student housing available off-campus, but to ensure that neighborhoods in college towns have entertainment for students, such as shopping centers and a variety of restaurants (Bromley 2006). Colleges aim to have private developers fix up surrounding off-campus areas to ensure that students do not live in deteriorating neighborhoods that might make them chose a different college. However, these projects can alienate established businesses. When developers bring in mixed-used projects with residential living on top of retail spaces, it makes local business owners unhappy as they now have more competition that attracts students away from their business (Martin and Allen, 2009).

An influx of new student housing brings a demand for neighborhoods to add a variety of entertainment options for students to keep them happy with their off-campus living choices but creates rising tensions with neighborhood.

Studentification

The growth of developers constructing off-campus student housing leads to neighborhood changes. According to Kinton et al., (2018), the changes in the neighborhood can be explained by studentification and the commodification of off-campus student housing. The term studentification defines “a significant process of urban change, tied to growing concentrations of university students” (Kinton et al., 2017, p. 242). Studentification creates tensions because locals who have lived in a community their entire lives now face students living in their neighborhood.

While studentification brings change to a neighborhood, it does not necessarily mean that it gentrifies the neighborhood. Bromley (2006) explains that students moving into a neighborhood means that the property value in that neighborhood goes down, as the neighborhood does not physically improve and usually worsens. In contrast, gentrification stands for displacing working-class residents from their neighborhoods to make it more attractive to the middle-class (Zukin, 1987). Off-campus student housing does not appeal to middle-class residents, resulting in the neighborhood population staying majority students. Literature shows that these neighborhoods can become “student ghettos.” These “student ghettos” lead to neighbors wanting municipal laws to stop student housing developments in their communities and concern over irresponsible landlords and students (Charbonneau et al., 2006). Students moving into residential neighborhoods makes residents worried over the future of their neighborhood and whether their community will degrade in value.

However, while studentification does not equal gentrification, it can lead to it in the future. A study conducted in Athens, Georgia by Pickren (2012) describes how student housing in neighborhoods can be viewed as creating worsening conditions in the area or as “the exclusionary up scaling of a community, depending on the viewer’s position along the social and economic hierarchy of Athens” (117). Students lead gentrification because studentification itself gentrifies a community by calling for more upscale apartments. Students also increased costs of housing in Athens (Pickren, 2012), which led to neighborhood gentrification and residents feeling displaced.

A Framework to Assess the City of San Marcos

The research project uses an exploratory purpose. According to Shields and Rangarajan (2013), exploratory research can be used when a research question has not been widely studied before and the topic is unstructured. Exploratory research uses working hypothesis and pillar questions. A working hypothesis consists of a statement of expectations with an expected answer to a question (Shields and Rangarajan, 2013). However, Shields and Rangarajan (2013) recommend the use of pillar questions when the research does not fit in a working hypothesis format due to being even more unstructured. A pillar question can be defined as “questions imbedded in working hypotheses absent an anticipated answer” (Shields and Rangarajan, 2013, p. 148). Pillar questions have minimal structure and can be used to explore topics with limited previous research. The topic of privatized off-campus student housing has not been widely studied. Colleges have outsourced various other services, such as bookstores and dining areas, but there is little literature on privatized student housing (Bekurs, 2007). There are also no studies that examine the processes and consequences of students signing leases with privatized off-campus student housing apartments. For these reasons, pillar questions do a better job at

examining privatized off-campus student housing over a working hypothesis as it involves an unstructured topic with little research completed on privatized student housing and no previous studies completed on installment lease agreements for students.

Pillar questions also include case studies (Shields and Rangarajan, 2013). This ARP explores the causes and consequences that private off-campus student housing practices have on San Marcos, Texas, making it a case study. Utilizing pillar questions helps focus attention on key aspects of the problem and at the same time, allows experiences of participants to shape the data collected. It also provides insight into the City of San Marcos and how Texas State University changed the city.

Pillar Questions

Pillar Question 1: Antecedents

When colleges try to increase enrollment, it often creates conflict with the local community, particularly in small college towns where space is already limited. As mentioned in the historical context section, studentification is a growing issue in college towns. Studentification creates conflicts between locals and students and worsening neighborhood conditions (Kinton et al., 2018,). The effects of studentification lead to policy concerns to handle the growing student population. Thus, this pillar question aims to understand what the effects of studentification have been on the City of San Marcos due to the growing Texas State University student population and is as follows:

PQ1: Historically, what have been off-campus student housing policy concerns in San Marcos?

This section develops sub-questions that aim to understand the policies and problems relating to off-campus student housing in San Marcos, Texas and how they have evolved over the years.

PQ1a: Problems

The growth of student populations in neighborhoods leads to conflicts amongst students and the local population. Residential communities do not want students as neighbors due to the difference in lifestyles. These demographics live differently, and the “work, social, and sleep time schedules between students and working adults or families do not always align and cause friction between these neighbors” (Hintz, 2011, p. 88). Working families do not want to be kept up by house parties or have students interfere with their family lifestyles. These communities expect the university administration to ensure that students act respectful of their surroundings and become frustrated when no changes occur in student behavior (Hintz, 2011). The mixing of both populations, students and families, is not always a smooth transition and locals want the university to take responsibility for the students living in off-campus housing.

Some conflicts have become so widespread that local media outlets began to cover the problems with studentification. For example, in the province of Ontario, Canada, a local newspaper published a story about student housing taking over the market because investors bought up properties to rent to students (Charbonneau et al., 2006). The student housing market is resilient, so investors continue to build more accommodations for students at the expense of locals living in the neighborhoods.

Since many other communities around the world have experienced a growth of issues involving students in their neighborhoods, this sub pillar questions aims to understand what

issues San Marcos, Texas has experienced regarding off-campus student housing. The question is as follows:

PQ1a: What off-campus student housing issues has the San Marcos community faced in the past?

PQ1b: Policy Changes

Cities passed local ordinances to appease citizens and students due to issues that cities experienced with student housing. For example, Boston has various colleges in its city limits and has experienced a growth in student population. To handle student housing in residential neighborhoods, the Boston City Council passed an ordinance in 2008 that aimed to limit the amount of unrelated people who live in an apartment to five or less (Martin and Allen, 2009). The legislation passed shows that neighborhoods want to ensure that the student population is kept under control.

In addition to the legislation passed, universities in Boston realized that the community involved where there have plans to build student housing is important. Martin and Allen (2009) explain that Harvard involved the neighborhood where they planned to create housing for graduate students. The local community was able to voice their opinions during the planning process, leading to them supporting the project. Kinton et al., (2018) shows that collaboration can help strategically implement off-campus housing. Local stakeholder involvement helps identify community concerns and create support for future housing projects. Due to this, the sub pillar question examines what the City of San Marcos has done due to possible complaints about off-campus student housing and is as follows:

PQ1b: How have student housing policies and practices evolved in San Marcos?

Pillar Question 2: Processes

The types of renter laws differ across the United States. Understanding state-tenant laws is important because they “encompass all aspects of the landlord–tenant relationship, from the application process to provisions that are allowed/prohibited in the lease, to the renters’ obligations while they are in the unit, to reasons for eviction” (Hatch, 2017, p. 103). States tend to differ in their rental laws. These rental laws can be divided into three categories: protectionist, probusiness, and contradictory (Hatch, 2017). Protectionists states protect the renters, probusiness states lean towards pro-landlord legislation, while contradictory legislation means that a state has both protectionists and probusiness laws. The most common laws include “rent default time (96% of states), security deposit return time (94% of states), and warranty of habitability (88%)” (Hatch, 2017, 104). Laws such as rent grace periods and income antidiscrimination become less common and more likely in protectionary states as they benefit the tenants.

According to Hatch (2017), renter laws tend to lean pro-business in Texas. The literature shows that since Texas is pro-business, it is less likely to adopt pro-renter legislation. The absence of any renter laws also favors landlords, as they can do what they want without a law that protects renters (Hatch, 2017). The Texas Attorney General official website describes laws that tenants and landlords follow. The laws include the right to recover a security deposit, the right for the landlord to deduct for damages, the right for a landlord to charge for abnormal damages, and the right for landlords to ask for advance notice in their lease (Texas Attorney General).

Studentification affects both locals and college students because students need to sign leases to live in off-campus student apartments. A lease is a legally binding document and once

signed, it becomes valid and usually cannot be terminated (Tenants' Rights Handbook, 2012). It is critical for a college student to read the full lease before signing and to understand the consequences of signing it. Due to this, the second pillar question determines how students become affected by the type of leases that they sign in off-campus student apartments available in San Marcos, Texas and is as follows:

PQ2: What processes do students encounter as they seek to rent off-campus housing in San Marcos?

This section develops sub-questions that focus on the following areas: rental agreement processes and leases. These sub-questions aim to comprehend what a student goes through before signing a lease and the types of leases available to them. The pillar question also addressed possible unintended consequences a student faces when signing a lease with a private off-campus student apartment.

PQ2a: Rental agreement processes

Off-campus student apartments have different marketing techniques to get students to sign at their apartments. One of these techniques encourages students to apply as soon as possible for rooms to ensure that they receive the best deal or location. Off-campus student apartments encourage students to apply at least a semester and a half before they can move into the apartments (Charbonneau et al., 2006). Charbonneau et al., (2006) showed that a popular neighborhood for apartment complexes called Kingfisher in Loughborough, UK had students seeking to sign their leases in December or earlier in the previous academic term. Popular apartment complexes do not worry as much about whether they reach full capacity as other

complexes might, as the way that the neighborhood and apartment was marketed ensures that students see it as their number one choice for signing a lease.

Off-campus student apartments highlight their amenities, many of which attract students to sign a lease with them. Charbonneau et al., 2006 describes how apartment complexes aimed at college students have luxury amenities more attractive than outdated dorm amenities. Developers have included “private bedrooms and baths, storage, extra security, covered parking, swimming pools and spas, computer rooms and connections to the campus computer system in student housing” (Charbonneau et al., 2006, 283). Apartment complexes add the luxury amenities in the hopes that students want to sign their leases with them. However, Charbonneau et al., 2006 mentions that there is limited literature examining how these amenities meet student demand and how they affect the future of the student housing market.

Developers now view students as consumers. The new characterization of students as consumers occurred due to the trend of creating apartment complexes with as many amenities that attract college students. In the past, having luxury styled apartments was not common for college students but they are now the standard in the market (Kinton et al., 2017). Developers market these amenities as “must-have” to grab the attention of students; however, many developers also believe that students can adapt to any property type that is near campus (Charbonneau et al., 2006) due to limited availability. If they stopped offering these amenities, there is a possibility that students would still sign leases at these apartment complexes if they reside near campus.

While students want these high-end commodities, they also want affordability in their housing choices. Kinton et al., (2017) describes how students want all inclusive deals when signing a lease. Many students work throughout college to pay their bills and cannot afford

luxury apartments with many amenities. Students not seeking expensive apartments seek all-inclusive deals to avoid higher utility costs (Kinton et al., 2017). By including the utilities in the rent, students do not need to worry about additional bills.

The literature focuses on how private developers have amenities that students want. This question aims to understand how developers market their amenities to students and the processes that occur when a student apartment hunts in San Marcos as is as follows:

PQ2a: What are the rental agreement processes for students?

PQ2b: Leases

College students need to sign a lease to be able to move into an off-campus student apartment. A lease is a legally binding contract that “obligates both you and the landlord for a set period of time, usually a year” (Portman and Stewart, 2018, p. 34). The lease dictates the terms and conditions and the tenant-landlord obligations. Once signed, a landlord cannot raise the rent or add any more provisions, although rent can increase if the lease included provisions that allow the landlord to do so (Portman and Stewart, 2018). *The Tenants’ Rights Handbook* (2012) describes how a lease can be changed only if it is changed before it is signed. If a potential tenant does not like the lease, they would have to get the landlord to sign on to any changes.

Most leases last a year, but they can also last for any time period, such as six or nine months. A fixed-term lease occurs when a tenant signs a lease for a specific amount of time (Tenants’ Rights Handbook, 2012) and are advantageous to renters and landlords. Renters know that their rent does not increase for the time period that they signed the lease for, and landlords know that they receive money throughout the lease duration. However, a disadvantage for renters in long-term leases is that they cannot change the terms of the lease or end it early unless the landlord

lets them or violates the lease (Tenants' Rights Handbook, 2012). So, if a renter does not like the lease, they still need to follow it due to it being a legally binding contract or face legal repercussions.

If a renter does not have a fixed-term lease, they most likely fall under a month-to-month lease. A month-to-month lease continues each month until the landlord or the renter provides an advanced notice of termination (Tenants' Rights Handbook, 2012). Unlike fixed-term leases, rent can increase per every month. Landlords can constantly raise the rent because they do not have to commit to a long time period.

Off-campus student housing differs from traditional apartments because their target audience is students. Many cities with high vacancies, such as college towns or resort towns, use fixed-term leases. Since many college students only live in a college town during the academic year, most landlords want a fixed-term lease (Portman and Stewart, 2018). Landlords want to ensure that they do not have high vacancies and do not lose money. They model their leasing practices based on students and instead of renting an entire apartment or house, they rent by the room (Charbonneau et al., 2006). Renting by the room ensures that landlords have a higher rental yield.

Rent-by-the-bed or renting by the room leases increase profits for landlords but leaves students at a disadvantage. In 2004, the City of Waterloo found that landlords rented out rooms at an average of \$400 per room to students and offered leases for 12 months (Charbonneau et al., 2006). Most students prefer to go back to their hometown during the summer instead of staying in their college town. Due to the 12-month leases, students must scramble to find someone to sublet the apartment. Subletting is common amongst rent-by-the-bed. When a person sublets their apartment, they allow a person stay in their room and take over paying for the rent (Portman

and Stewart, 2018). Most leases forbid sublets without having prior consent from a landlord. Students lose money if they do not live in their apartments for the summer but continue to pay rent. Charbonneau et al., (2006) explains no off-campus student leases currently benefit the students and that when surveyed, students preferred shorter leases such as for four or eight months. If rent-by-bed provided alternative shorter leases, it could help students financially as they would not need to find a person to agree to sublet an apartment for the summer.

Literature shows that student apartments often have different leases than non-student apartments. This question aims to understand the leases that students sign in off-campus student housing in San Marcos. The second sub-pillar question is:

PQ2b: What type of leases do students encounter?

Pillar Question 3: Consequences

The literature on privatized off-campus student housing is limited. Many groups become affected by the privatization of off-campus student housing, including students since they live in the apartment complexes for the school year. However, even though the practice of privatizing off-campus student housing became more common, there is little literature on the subject to show how it can affect students, either negatively or positively (Bekurs, 2007).

The second group affected by privatized off-campus student housing include the locals of college towns. Locals become affected by the growth of these off-campus student housing apartments as studentification can “have a transformative effect on both established residential neighbourhoods and the regeneration of vacant brownfield and other sites, across a wide range of locations” (Kinton et al., 2018, p. 243). The growth of the student population brings a dramatic change to a city, either by revitalizing abandoned areas, or by creating worsening conditions for

current neighborhoods. Locals experience risk of their neighborhoods changing due to the decisions of universities trying to expand and increase enrollment.

The final group at risk is the university itself. Due to the lack of literature, universities enter public-private partnerships based on biased, anecdotal, incomplete, and limited evidence (McClure et al., 2017). Literature on off-campus student housing “does not synthesize the information into a comprehensive resource for those considering privatizing their student housing construction or operations (Bekurs, 2007, p. 624). Universities interested in entering into a contract with private developers do so without proper knowledge of possible unintended consequences to students, the university, and locals.

The limited literature on student housing means that few studies examine the consequences of the booming student housing industry. Due to this, this pillar question examines how privatized off-campus student housing affects the City of San Marcos and is as follows:

PQ3: What are the consequences of the current off-campus housing policies in San Marcos?

This section develops sub-pillar questions that examines the possible consequences of off-campus student housing and how they affect the following communities: students, locals, and the relationships between the university and the San Marcos community. It uses the limited research on the subject to try and understand the long-term effect of privatized off-campus student housing.

PQ3a: Students

Many current off-campus student housing policies affects students negatively. McClure et al., (2017) discusses how students do not know if they should speak with the university or with

the apartments about issues they experience with their housing. Some students may also “misunderstand that they signed a lease, which carries different rules and restrictions compared a traditional housing agreement” (McClure et al., 2017, p. 81). As explained in the *Tenants’ Rights Handbook* (2012), it is vital that a person understand that they signed a legally binding contract in the form of a lease; however, some students see off-campus student housing as an extension of the university even though it is a privatized service. Colleges with privatized off-campus student housing try to take an active role in helping their students with their apartment search but many students do not access these services (Charbonneau et al., 2006). Since they do not access the services that some colleges offer, it leads to them misunderstanding that they signed a lease when they move to an off-campus student housing apartment.

Even if all students utilized the housing resources offered at colleges, it is sometimes impossible for university staff to help students with their off-campus student housing issues. Off-campus student housing discourages lease-breaking, as they prefer their apartments at 100 percent occupancy (McClure et al., 2017). Students experiencing a bad environment in their apartments sometimes ask the housing staff at the university for help, but due to the strict policy of no lease-breaking, it becomes hard for housing staff to relocate students. Conflicts rising from off-campus student housing causes students and housing staff to feel helpless, as explained in a quote from a resident director at a college:

“Let’s think about the students that are really paying the price here and living in a situation where they’re not comfortable, where they’re not wanted, or where they don’t even go home [to their apartment] because the environment is so bad and there’s nothing we can do to help” (McClure et al., 2017, p. 81).

Off-campus student housing also increases rent prices and provides lower quality.

Universities decide to partner with private developers to try and save money. However, due to the lack of literature, there is not enough information available about how it affects students. One study done by McClure et al., (2017), points to the possibility that even if the university saves money, the students end up paying more. Some students can afford the luxury style apartments that private developers offer, but many students wish apartments had cheaper rent (Kinton et al., 2018). Lower income students have capital, “but whereas the first class of student use their capital to pay higher rents and can afford higher-quality accommodation, the second class of student use their capital to drive down rental costs as much as they can” (Kinton et al., 2018, p. 251). The resort style amenities that these apartments offer look attractive to many students, but some just want the basics and try to pay the least amount of money that they can for their rooms.

The high rent prices also affect neighborhoods in college towns. The luxury styled apartments create an exclusive student market for those who can afford to live there. Students who cannot afford the high rent or want to save money move to downgraded neighborhoods (Kinton et al., 2018). Being priced out of apartments means that students focus on different neighborhoods in the city that provide housing at a lower cost, leading to those neighborhoods experiencing studentification.

While rent increases for resort style student apartments, the quality of the construction raises many questions about whether these apartments last. Private developers build fast but often do not plan for long-term use, as evident during the McClure et al., (2017) study. A university that went by the alias of University of Foggy Mountains for the study, describes how they partnered with a private developer to build their dorms to decrease costs. However, while students were happy with the new facilities at first, within “just a few years of operation, the

building had deteriorated significantly, and housing department staff often fielded complaints from parents and students who lived in the facility” (McClure et al., 2017 p. 83). The university thought it saved money but instead accumulated debt when it took over the facility. The private developers also did not maintain code requirements with the sprinkler system and broke university rules by allowing them to have pets and smoke (McClure et al., 2017). These living facilities had poorer quality than others the university had previously built, which led the university to break ties with public-private partnerships for their dorms.

In addition, off-campus student apartments have environmental health risks for students living in them. A study conducted by Johnson, Cole, and Merrill (2009) surveyed students attending Brigham Young University in Provo, Utah and asked them questions to determine health hazards in their off-campus student residencies. The most reported problems by students included issues with “installed appliances, visible mold, heating or cooling systems, and inside dampness or water damage” (Johnson et al., 2009, p. 44) caused by the high turnover rate that results in bad property management. The study also found that even if a student paid more for their apartment, they would experience a similar level of problems. On average, it was found that students would have at least two housing problems that can lead to health risks per semester (Johnson et al., 2009). Even though students pay higher rents to live in resort-style off-campus student apartments, they still experience health risks due to property managements not taking care of the property.

While the McClure et al., (2007) study focused on on-campus housing facilities and Johnson et al., (2009) did not specify if the housing they examined included privatized off-campus housing specializing in the student housing market, this ARP aims to further knowledge into how private developers run off-campus student housing apartments. It examines the

consequences of living in off-campus student apartments in San Marcos, Texas that affects Texas State University students either positively or negatively. Therefore, the first sub-pillar question of this section is:

PQ3a: How have students been affected by current practices?

PQ3b: San Marcos, Texas

Cities become affected by the increased development of off-campus student housing in their city limits, which creates lifelong changes in their communities. The limited space in a city leads to planning challenges that need to be addressed when a student community grows (Charbonneau et al., 2006). For example, a mid-sized city has different challenges than a larger metropolitan area. A mid-sized city is defined “by their population (generally between 100,000 and 500,000) but also several other factors that are often attributed to their decline: more decentralization, higher dependence on the automobile, and moderate level of economic diversity” (Charbonneau et al., 2006, p. 292). While larger metropolitan areas do not worry too much about an increase in the student population, any increase in a mid-sized city affects the local community. Even though mid-sized cities become challenged by the growth, they also have a unique advantage to address the issues that arise when a college campus grows and the revitalization of the city (Charbonneau et al., 2006). Student housing can bring revitalization, but a mid-sized city needs to plan accordingly to ensure that students do not overtake neighborhoods and make their residents feel alienated from their community.

To handle the influx of students in their city limits, many cities pass ordinances that help prevent issues with studentification. A consequence of studentification in local communities is the increase of students living in residential neighborhoods. States have incorporated laws in

their property code that landlords must follow to avoid overcrowding in dwellings. For example, the Texas Property Code has a section to handle occupancy limits:

(a) Except as provided by Subsection (b), the maximum number of adults that a landlord may allow to occupy a dwelling is three times the number of bedrooms in the dwelling.
(Property Code §92.010)

The rule under Section 92.010 ensures that a landlord can limit residence to only three adults per room in any residency. Even with provisions in state government, many local governments do not think it is enough to stop students from overcrowding rentals. Bromley (2006) explains how some “US municipalities sometimes try to prevent student rental overcrowding through ‘grouper laws’, which typically limit the number of unrelated persons allowed to reside in an apartment to three” (5). These grouper laws help lessen student overcrowding in neighborhoods.

Neighborhoods also face an increase in crime due to the proximity of college students. Bromley (2006) and Wechsler et al., (2002) both explain that the drinking habits of college students leads to an increase in neighborhood reported crimes. Some of the most frequent issues with college students involved with law enforcement incidents “relate to the enforcement of traffic regulations, minimum ages for consuming alcoholic drinks, and potential drunk driving and rowdy behavior incidents” (Bromley, 2006, p. 7). A once relatively calm neighborhood experiences a drastic change in crimes.

Wechsler et al., (2002) conducted a study to determine how alcohol use by college students affected residents living within a mile of a college campus compared to neighborhoods farther away. The statistics show that residents living less than a mile away from school more

often blamed college students for vandalism, public and noise disturbances, public intoxication, and littering than residents living farther away (Wechsler et al., 2002). While neighborhoods living farther away from campus still view college students as an issue, they are less involved with them than those within proximity of the college campus.

The increase of privatized off-campus student housing also leads to changes in neighborhood culture in college towns. Culture becomes an important facet of studentification because young people with shared values in lifestyle, such as consumption trends, all move into a specific area within a neighborhood (Pickren, 2012). However, the local community views these students as outsiders. Students do not get involved with the local community and often keep to themselves. An increase in the student population leads to residents feeling misplaced as their community no longer feels close-knit (Pickren, 2012). As the values in the community change, locals feel angered that their voices do not get heard and complain about the college community being too liberal and affecting their conservative communities (Bromley, 2006). Residents do not like when their community changes due to outside forces and view college students as people who fundamentally change the culture and values of their neighborhoods.

The change in culture can lead to changes in the local political climate in cities affected by studentification. Bromley (2006) explains that residents start resenting when universities expand their campuses and protest a campus constructing new buildings on the edge of campus, as they see this as a threat to their neighborhood. Universities seek powers of eminent domain as a loophole to local property rights, which causes locals to accuse the university of becoming too aggressive in their expansion goals (Bromley, 2006). Local politicians also start taking notice of their constituents concerns about the universities. Political leaders “often resent the tax exemptions and relative autonomy from local control enjoyed by colleges and universities, and

they rarely welcome research on local politics and budgetary decisions” (Bromley, 2006, p. 11). Universities trying to expand face resistance from local politicians and residents that do not want students living in their communities.

Literature shows that cities with a studentification problem try to push back on universities attempting to grow and increase enrollment. Residents and local leaders do not want students to live in their community due to the change in culture and an increase in crime. This ARP aims to determine how the City of San Marcos is changing due to the growth of Texas State University by asking the following question:

PQ3b: What has been the effect on the City of San Marcos?

PQ3c: Relationships

Understanding the relationship of all stakeholders involved in privatized off-campus student housing helps understand how the growth of the industry changed a city. Bromley (2006) explains how stakeholders including “colleges, universities, neighborhoods, local governments and metropolitan regions are enormously dependent on their ‘images’” (8). People want to visit college towns for the tourist attractions and their favorable image as a mid-sized city. If the college situated in the city is a good institution, it can lead to economic development (Bromley, 2006). However, for all stakeholders to be happy and to support each other, they need to work together to create a ‘brand image.’ When a college town successfully implements a brand image, it makes tourists and investors feel as though they’ve chosen a unique place to visit. If a college can implement the same strategy, they create ‘a block-buster brand’ (Bromley, 2006) that makes the institution favorable to outsiders.

Therefore, it is crucial to examine how all stakeholders, including students, Texas State University, private developers, and the City of San Marcos, work together to create a ‘brand image’ or if there is no communication between them. The following question aims to understand how the growth of off-campus student apartments has affected the relationships between all involved stakeholders over the years:

PQ3c: What has been the effect on the relationships between Texas State University, off-campus students, property management associations, and the City of San Marcos?

Chapter Summary

This chapter summarized the relevant literature regarding the privatization of off-campus student housing. Through the literature, it created three pillar questions that became the framework for the ARP. These pillar questions included examining the antecedents, processes, and consequences of the current practices surrounding the booming market of off-campus student housing to understand how it is affecting the city of San Marcos, Texas. Table 1 summarizes the conceptual framework.

Table 3.1

Conceptual Framework Table	
Title: The Student Housing Problem: An Exploratory Study of San Marcos, Texas	
Purpose: The purpose of this applied research project is to explore the antecedents, processes, and impacts of San Marcos, Texas off-campus student housing policy, with emphasis on installment lease agreements.	
Pillar Question	Supporting Literature
Pillar Question 1: Historically, what have been off-campus student housing policy concerns in San Marcos?	
PQ1a: What off-campus student housing issues has the San Marcos community faced in the past?	Charbonneau, Johnson, and Andrey 2006; Hintz 2011
PQ1b: How have student housing policies and practices evolved in San Marcos?	Kinton, Smith, Harrison, and Culora 2018; Martin and Allen 2009
Pillar Question 2: What processes do students encounter as they seek to rent off-campus housing in San Marcos?	
PQ2a: What are the rental agreement processes for students?	Charbonneau, Johnson, and Andrey 2006; Kinton, Smith, Harrison, and Culora 2018
PQ2b: What type of leases do students encounter?	Charbonneau, Johnson, and Andrey 2006; Portman and Stewart 2018; Tenants' Rights Handbook 2012
Pillar Question 3: What are the consequences of the current off-campus housing policies in San Marcos?	
PQ3a: How have students been affected by current practices?	Charbonneau, Johnson, and Andrey 2006; Johnson, Cole, and Merrill 2009; Kinton, Smith, Harrison, and Culora 2018; McClure, Ryder, and DeVita 2017
PQ3b: What has been the effect on the City of San Marcos?	Bromley 2006; Charbonneau, Johnson, and Andrey 2006; Wechsler, Lee, J, Hall, Wagenaar and Lee, H 2002; Pickren 2012; Texas Property Code;
PQ3c: What has been the effect on the relationships between Texas State University, off-campus students, property management associations, and the City of San Marcos?	Bromley 2006

Chapter IV: Methodology

Chapter Purpose

The purpose of this chapter is to describe the methodology used to understand the antecedents, processes, and impacts of San Marcos, Texas off-campus student housing policy, with emphasis on installment lease agreements. As the topic is exploratory, the methods used in the ARP include archival records, document analysis, and focused interviews. The use of three different research methods allows for greater confidence in the evidence and more comprehensive results.

Operationalization of the Conceptual Table

In the literature review chapter, the conceptual table used pillar questions to operationalize the main topics brought upon by the literature and connects them to sub-pillar questions (Shields and Rangarajan, 2013). According to Shields and Rangarajan (2013), the operationalization table expands on the pillar questions by explaining the data sources used to answer them. The operationalization table guides the research and provides the results.

The operationalization table is read left to right. There are four columns followed by the pillar question. The columns include pillar question, data sources, persons interviewed, and open-ended research questions. Data sources include document analysis and archival records. As the ARP uses interviews to collect data, the third and fourth columns show the people interviewed and the questions used in the interview. The open-ended research questions column includes questions used in interviews and that guide the document analysis and archival records research.

Table 4.1. Operationalization Table

<p>Title: The Student Housing Problem: An Exploratory Study of San Marcos, Texas</p> <p>Purpose: The purpose of this applied research project is to explore the antecedents, processes, and impacts of San Marcos, Texas off-campus student housing policy, with emphasis on installment lease agreements.</p>			
Pillar Question	Data Sources	Persons Interviewed	Open Ended Research Questions
<p>Pillar Question 1: Historically, what have been off-campus student housing policy concerns in San Marcos?</p>			
PQ1a: What off-campus student housing issues has the San Marcos community faced in the past?	Archival Records	City of San Marcos Staff	<ol style="list-style-type: none"> 1. How has the media portrayed off-campus student housing problems? 2. How have San Marcos neighborhoods changed due to student housing? 3. Additional questions as merited
PQ1b: How have student housing policies and practices evolved in San Marcos?	Archival Records; Document Analysis; History of ACT	City of San Marcos Staff, Texas State University Staff; Other Resources	<ol style="list-style-type: none"> 1. How has the city tried to tackle student housing issues? 2. How has Texas State University tried to tackle student housing issues? 3. Additional questions as merited.
<p>Pillar Question 2: What processes do students encounter as they seek to rent off-campus housing in San Marcos?</p>			
PQ2a: What are the rental agreement processes for students?	Document Analysis; Guide to Living Off Campus 2018	Texas State University Staff; Austin Tenants Council Representative; Other Resources	<ol style="list-style-type: none"> 1. How do property management companies portray themselves to students? 2. How early are students encouraged to sign leases? 3. Additional questions as merited.
PQ2b: What type of leases do students encounter?	Document Analysis; Guide to Living Off Campus 2018	Texas State University Staff, Austin Tenants Council	<ol style="list-style-type: none"> 1. What are the differences between installment contracts/rent-by-the-bed leases vs traditional leases?

		Representative; Other Resources	<ol style="list-style-type: none"> 2. What methods are used to educate Texas State University students on their leases? 3. Additional questions as merited.
Pillar Question 3: What are the consequences of the current off-campus housing policies in San Marcos?			
PQ3a: How have students been affected by current practices?	Document Analysis	Texas State University Staff; Other Resources	<ol style="list-style-type: none"> 1. What are the main type of complaints that Texas State University staff receive from students about their housing arrangements? 2. Under what circumstances can students break these leases? 3. Additional questions as merited.
PQ3b: What has been the effect on the City of San Marcos?	Archival analysis	City of San Marcos Staff; Other Resources	<ol style="list-style-type: none"> 1. How is San Marcos preparing for more students living off campus within the city limits? 2. How do rent-by-the-bed leases influence rent for non-student apartments? 3. Additional questions as merited.
PQ3c: What has been the effect on the relationships between Texas State University, off-campus students, property management associations, and the City of San Marcos?	Document Analysis; History of ACT	Texas State University Staff; City of San Marcos Staff; Other Resources	<ol style="list-style-type: none"> 1. How is the ACT agreement being effective? 2. Additional questions as merited.

Case Study

This ARP uses case study methodology to examine off-campus student housing policy at Texas State University in San Marcos. Case studies focus on the “how” and “why” questions (Yin, 2009) which makes it an ideal research method for this Applied Research Project. Understanding the current student housing apartment situation in San Marcos, Texas, implies a need to know “how” and “why” the practices began to understand how it affects the Texas State University community as well as the locals.

To strengthen a case study, using multiple sources of evidence is highly recommended. Yin (2009) describes how a major strength in case studies is their ability to incorporate multiple data collection methods; however, it can also be more time-consuming. To ensure the best results, this ARP carefully selected three main sources for evidence collections including interviews, archival records, and document analysis.

Interviews

The ARP utilizes interviews as a form of data collection. According to Arsel (2017), conducting interviews for data collections leads to collecting the perceptions that people have about a specific subject. To avoid asking questions that do not pertain to the research, an interviewer should prepare questions which pertain to the literature for better results in the interviews. By developing a conceptual framework that was informed by the literature and using the framework to craft the questions, this study followed the practice recommended by Yin. Standardized interviews with the same questions are best for mixed-methods because they take a deductive approach used to fill in the gaps from other data (Arsel, 2017).

In this study, interviews fill in the gaps from document analysis and archival records to answer the pillar questions more in depth. The questions asked in the interviews are the open-ended research questions located in the operationalization table. These questions were created based on the corresponding sub-pillar questions in the table. For example, the second pillar question asks: What processes do students encounter as they seek to rent off-campus housing in San Marcos? The first sub-pillar question then states: What are the rental agreement processes for students? To find more information about the first sub-pillar questions, interviews ask the following questions:

1. How do property management companies portray themselves to students?
2. How early are students encouraged to sign leases?
3. Additional questions as merited.

The third option allows for questions based on the interviewee's responses to the question. The questions collect more data than would be possible just by using archival analysis or document analysis and were carefully crafted based on the literature. The themes of the literature guided the pillar questions in the conceptual framework, which then guided the interview questions asked for data collection.

The people chosen to do interviews are involved with student housing, work for Texas State University, or work for the City of San Marcos. Their responses to the interview questions allow insight into how privatized off-campus student housing affects students and locals. The ARP also uses the snowballing research technique. The technique allows for participants to provide the name of a person they believe would be able to contribute to the research, and then that person provides another name and so on (Cohen and Arieli, 2011). As the ARP focuses on a niche topic,

snowballing allows for city and Texas State University employees to give their recommendations on who should be interviewed.

The following table shows the dates, times, and lengths of interviews, along with which pillar questions were asked:

Table 4.2: Interview Log

Interview Number	Date and Time	Length	Pillar Questions Asked
1 and 2 (two people interviewed at the same time)	02/12/19 at 1:00 PM	48:19	PQ1, PQ2, and PQ3
3	02/18/19 at 3:00 PM	26:07	PQ1, PQ2, and PQ3
4	02/19/19 at 9:00 AM	14:47	PQ2
5 and 6 (two people interviewed at the same time)	03/26/19 at 9:00 AM	1:31:44	PQ2 and PQ3

Archival Records

Archival records are documents that have been kept and preserved due to their continuing value to explain how things were done (Welch, 2000). Unlike interviews, archival sources do not need to rely on human memory and may provide “more detailed, less obtrusive, and less contingent” (Welch, 2000, p. 1999) data. However, a major drawback that affects the end results of a study is the availability of the archival records and whether data can be accessed (Welch, 2000). For this reason, the ARP focuses on publicly focused data sources such as newspapers.

The first pillar question relies heavily on the results of archival records because it explores the antecedents to the use of privatized off-campus student apartments in San Marcos, Texas. By using archival records, the ARP aims to understand “how” and “why” San Marcos, Texas and Texas State University did things in the past. Archival records are critical in understanding historical information and putting it into context to student housing practices.

While the first pillar question heavily relies on archival records, the third pillar question also uses them to better understand the consequences of the current off-campus housing policies in San Marcos. For example, by looking at past newspaper articles about complaints that students or locals had about the boom in student housing helps understand the current consequences of those practices.

Table 4.3: Articles used for archival methods

Article Title	Source	Author and Year
<i>ACT helps students find high-quality housing</i>	The University Star	Scarborough, C. (2014).
<i>Comprehensive Master Plan includes new multi-family housing projects</i>	The University Star	Hernandez-Garcia, M. (2013)
<i>Last-minute apartment hunting can be easy</i>	The University Star	Garcia, M. (2005)
<i>Off-campus housing grapples with waste disposal problem</i>	The University Star	Arguello, E. (2014)
<i>Property values prove unaffected by student housing</i>	The University Star	Tompkins, T. (2013)
<i>Student apartments overly expensive, lacking in quality</i>	The University Star	Allen, X. (2014)
<i>Student housing construction projects continue in correlation with enrollment increase</i>	The University Star	Wilcox, J. (2015)
<i>Students must be wary of apartment gimmicks</i>	The University Star	Sweet, M. (unknown)
<i>Students seek low-cost off-campus living 2017</i>	The University Star	Martin, E. (2017)
<i>The College That Ate a City</i>	Next City	McGraw, D. J. (2016)
<i>Consequences could be hefty without reading lease before signing</i>	The University Star	Holt, M. (2009)
<i>Villagio recognizes residents' accusations, begins negotiations between lawyers</i>	The University Star	Brittain, T. (2009)

Document Analysis

Document analysis systematically reviews and evaluates documents to provide additional research data (Bowen, 2009). This ARP uses documents related to off-campus student apartments in San Marcos, Texas to answer the pillar questions. For example, the second pillar questions states: What processes do students encounter as they seek to rent off-campus housing in San Marcos? Documents analyzed to answer the sub-pillar questions include marketing materials aimed at Texas State University students about off-campus housing such as the *Guide to Living Off Campus 2018*. These documents offer a unique perspective at understanding how students sign a lease with off-campus apartments. Document analysis gathers additional evidence to further understand the privatized off-campus student market.

Human Subjects Protection

Before conducting interviews, the participants were given a full description of the study along with assurance of confidentiality. All participants received an informed consent packet; however, a signed consent form was not required, as participating in the study implies consent. The names of the people interviewed were kept anonymous for the participants privacy and some interviewed wished to keep their occupation private and are referred to as “other resources.” The IRB board at Texas State University approved the study at the following level: Exempt Review Level Category 2 Surveys, Interviews, or Public observation. Appendix A contains a copy of the informed consent document.

Chapter Summary

This chapter provides an outline of the research methodology used in the ARP for data collection. The operationalization table guides the findings by expanding on the conceptual

framework and the literature. As a case study, this ARP uses various data collections, including interviews, document analysis, and archival analysis. Chapter five presents the findings of the data collection.

Chapter V: Results

Chapter Purpose

The results chapter summarizes the results found in the City of San Marcos case study. The chapter discusses each pillar question and the data collected for them based on interviews, document analysis, and archival records. The previous chapter discusses the operationalization table and the open-ended research questions linked to the pillar questions.

Pillar Question 1: Antecedents

Document analysis and archival records show the antecedents of privatized off-campus student housing in San Marcos, Texas. News articles provided information on the growth of purpose-built student housing in San Marcos, Texas and the subsequent tensions between locals and university students. Official city documents also show policy changes that San Marcos has had to go through to handle the expansion of these off-campus student housing apartments. In addition, interviews provided insight into the antecedents of purpose-built student housing.

PQ1a: Problems

How has the media portrayed off-campus student housing problems?

Articles posted on local news media outlets provided the greatest insight into how the media portrayed off-campus student housing problems. There were two categories of news articles examined, opinion pieces and non-opinion articles. The non-opinion articles included categories such as journalistic, lifestyle, and informative pieces. In total, twelve news articles were examined, eleven of which were from the University Star, the official Texas State University

newspaper. There were two opinion articles and ten non-opinion articles. The news article publication dates ranged from the year 2005 to 2017.

Of the news articles examined, most opinions about off-campus student housing apartments in San Marcos, Texas were negative. Articles were categorized as negative if they described tensions in the community based on student housing or contained student complaints. There were five articles that have an overall negative tone. The two opinion articles were written by Texas State University students and shared negative aspects of student housing that included being too expensive, low-quality, and apartments not being completed by move-in date, leaving students with no place to live. Other non-opinion articles also mention student lawsuits for charges not included in the original lease and resident concerns over their property value decreasing due to purpose-built student housing.

The following quote from an opinion article describes student apartments and individual leases as negative:

“There has never been a larger money-sucking pyramid scheme than the idea of student apartments and individual leasing” (Allen, 2014).

Three articles showed positive language towards the changes made in off-campus student housing. These articles describe off-campus living as cheaper, easy to navigate, and credit ACT for creating higher standards for student apartments. The following quote describes the benefits that students receive when choosing an ACT Ally apartment:

“Educating students on how to move off campus, as well as making sure apartment complexes meet standards similar to those of on-campus housing, are some of the benefits ACT offers” (Scarborough, 2014).

There were also six articles with neutral and informative tones. These articles discussed comprehensive city plans and helped students with off-campus resources without portraying positive or negative tones.

How have San Marcos neighborhoods changed due to student housing?

Studentification led to neighborhoods in San Marcos, Texas changing rapidly. The news articles examined in the previous question mention the rising tensions between locals and students caused by students moving into residential neighborhoods. One article not affiliated with Texas State University showed concerns over local tensions in the city caused by the growth in the student population. As the off-campus student apartments increase in numbers, “city residents find themselves much more concerned about the consequences of that growth - including rising rents and flood waters” (McGraw, 2016, p. 2). Locals also do not want more purpose-built student housing to be built in their neighborhoods.

Interviews conducted also showed that studentification is a leading concern. City officials recount purpose-built student housing taking off as an industry in 2008. These apartments have a niche market and do not focus on a community aspect since students are temporary tenants who only stay for the duration of their college years. Neighborhoods in San Marcos with an influx of purpose-built student housing do not have the necessary infrastructure to handle the increase in population and lack firefighters and police staff, grocery stores, and other necessary neighborhood amenities which leads to student slums.

One city official specifically named Mill Street in San Marcos as an example of how studentification affected the City of San Marcos. Developers on Mill Street “built with very little consideration to how many people would be there, the types of impact that sort of development

would have on stormwater, to traffic, to general services that people need.” The apartment buildings are described as “fairly substandard” and already show signs of deterioration. These buildings do not attract people who want to settle down in a community.

PQ1b: Policy Changes

How has the city tried to tackle student housing issues?

When asked this question, city officials described the history that led to the off-campus student housing issues and how they tried to tackle them. Before 2008, the city tried to avoid “stealth-dorms,” which consists of a single-family home converting into a dorm-like facility by passing an ordinance in the 1970s that prohibited more than two unrelated people living in a single-family home. The Unrelated Persons Occupancy Restrictions Ordinance, found in Appendix B, establishes more than two unrelated occupancies “if it is shown that the same three or more vehicles with registrations to persons having different surnames and addresses were parked overnight at the dwelling unit a majority of nights in any 21-day period” (*Unrelated Persons Occupancy Restriction*, City of San Marcos).

However, the city still faced students living in single-family neighborhoods, which led to a new market booming in purpose-built student housing. According to city officials, the financial crisis in 2008 also led to San Marcos becoming a niche market for purpose-built student housing. Students paid for their rent with student loans, which ensured that developers make a profit and the city became very development friendly.

As the market boomed and expanded to different neighborhoods in San Marcos, residents became concerned and wanted accountability from these purpose-built student apartments. The Achieving Community Together (ACT) agreement became a collaboration between the city,

Texas State University, and developers. The History of ACT, found in Appendix C, is a document published on the City of San Marcos website, describes how the agreement aims to “reduce the sources of conflict in a town and gown city by shifting the emphasis from enforcement to education and community influence” (“History of ACT,” City of San Marcos). The ACT agreement is credited for reducing noise complaints and arrests in purpose-built student housing apartments by both the city and Texas State University officials.

How has Texas State University tried to tackle student housing issues?

A university official in an interview mentioned how Texas State University first focused on students living within residential neighborhoods before the boom in purpose-built student housing. Landlords, who sometimes did not live in the city or resided out of state, rented to students, resulting in complaints from residents. The university engaged in community walks organized by different departments such as Student Affairs, Dean of Students, Attorney for Students, and Residential Life and Housing, and the University Police Department to target areas that had the most complaints. A Texas State University official mentioned how the “goal was for students to see themselves as citizens of San Marcos, as well as students at Texas State and help them and the residents understand what it means to live together in a neighborhood.” The university would hand out pamphlets and talk to students about how to be a good neighbor, reduce noise, and keep neighborhoods clean.

When more purpose-built student housing apartments started to develop in San Marcos, Texas State University added quarterly meetings with the apartment complexes. During the meetings, they receive updates from the university, and statistics of complaints and crime rates for each apartment complex. Some apartment complexes will also reach out to Texas State University if they are experiencing issues with student tenants and ask advice on how to deal

with the problems. The ACT Ally program also requires apartments to meet specific requirements to have access to the Texas State University campus for any promotional events.

Table 5.1 – Pillar Question 1 Results Summary

Pillar Question 1a: Problems	<ul style="list-style-type: none"> • Most newspaper articles from local media outlets portray off-campus student housing as negative. • Articles written by students living in these complexes portray them as too expensive and low quality. • Locals worry about the changes happening in their neighborhoods due to studentification. • City officials show concern over the amount of purpose-built student housing apartments in neighborhoods and not being able to provide basic city infrastructure to neighborhoods affected.
Pillar Question 1b: Policy Changes	<ul style="list-style-type: none"> • Local city ordinance prohibits more than two unrelated people living together. • 2008 financial crisis led to the boom in purpose-built student housing as students pay for their rent with student loans, making it a safe investment for developers. • San Marcos Residents wanted accountability from these apartments, leading to the ACT agreement. • Texas State University used to focus on community walks for students living in residential neighborhoods. • When the purpose-built student apartments market boomed, the university added quarterly meetings with apartment complexes through ACT.

Pillar Question 2: Processes

Document analysis and interviews show the processes that students go through when signing a lease with an off-campus purpose-built apartment. Documents showed how apartment

complexes portray themselves to students and their marketing techniques to highlight their luxury amenities. Document analysis was also used to analyze the informational pamphlets provided by the Attorney for Students to aid students before they sign a lease. Interviews provided additional insight on the differences between rent-by-the-bed/installment contracts versus traditional leases.

PQ2a: Rental agreement processes

How do property management companies portray themselves to students?

Document analysis shows how property management companies portray themselves to students seeking to live in off-campus student housing apartments. In the *2018 Guide to Living Off-Campus* published by Texas State University, thirty-one ACT ally student housing apartments are showcased. Each apartment submitted their own advertisement to the booklet. From these thirty-one apartments, five apartments feature the words “luxurious” or “luxury” when describing their pool amenities and apartment homes. Twelve apartments use the word “resort” to describe their pool amenities. Four apartments mention their proximity to campus and twenty apartments mention a private shuttle to campus or that they are on the Texas State University bus route. Only two apartments use the words “affordable” as one of their key features for their apartment rates. One apartment also highlighted that by signing today, students would receive a lower rate, which means that prices increase over time. These findings are similar the literature.

While these purpose-built student housing apartments emphasize their luxury amenities, university staff try to ensure that these apartments do not focus on them as much. A Texas State University representative mentioned how they “try to work with them to not emphasize who has

the biggest pool and we want to make sure that they're using fair rental practices." City staff also mentioned that they see a shift happening with students and parents wanting more affordable housing and less focus on luxury amenities.

In another interview with a representative from the Austin Tenants Council, it was mentioned that "there should be a distinction between what is advertised as student housing and what is actually student housing." Student housing is legally defined as housing owned by the university system. The representative mentioned that there are many apartment complexes that advertise themselves as student housing but are not.

Local resources in San Marcos also mentioned that property management companies portray themselves as beneficial to students due to their individual or rent-by-the-bed leases. However, while students sign individual leases, they are held liable for all common spaces and charged for any damages their roommates cause. Property management companies also describe themselves as a cheaper alternative to dorms; however, dorms include a meal plan which bring down the overall costs. The interview also described how the complexes do not need to provide the amenities they market. For example, if a complex offers a private shuttle to campus as an amenity but then they decide to stop offering the shuttle halfway through a semester, the complex does not face any legal backlash. Another amenity that these complexes offer is free parking. However, as one local resource mentioned, the parking is not always free even though it is advertised as free.

"They say they have free parking and they do, but the question is, how much free parking? A lot of these places will have a dozen free parking spots and the rest are \$40 to \$75 a month."

How early are students encouraged to sign leases?

Texas State University staff mentioned that they can only guarantee a spot on-campus in a dorm for incoming freshmen. The university hosts a housing fair in the fall semester for students, including freshmen currently living on campus, to see their off-campus housing options. However, while the housing fair is hosted in the fall, staff “usually tell them don’t sign any leases until the spring.” The university also hosts housing events in the spring for students who have still not signed a lease. Students can sign a lease as early as the fall semester, when they are still currently living in dorms.

Local resources mentioned in their interviews how property managements companies encourage students to sign a year in advance through marketing strategies. Apartment complexes tell students that spots fill up fast and that they need to sign a lease with them while space is still available. Freshmen sign leases as early as October when they attend housing fairs. The interviews mention how the ACT ally agreement allows complexes cheap marketing for them to promote themselves on-campus to freshmen.

Other Rental Agreement Processes – Pre-leasing

City officials described an issue with pre-leasing not mentioned with Texas State University staff. San Marcos experiences purpose-built student housing that pre-lease but these apartments do not get finished on time. In 2014, there were five purpose-built student apartments that were supposed to be finished, but none of them were ready to be occupied by the beginning of fall semester. Students who pre-leased with these apartments would receive emails that their apartment would not be ready on time. Contractors building the apartments were not truthful with the property management company who told students the apartments would be done. When

city officials would inspect the building site, it would become apparent to them that the apartments were not close to being finished.

The city tried to implement intervention strategies to encourage students not to sign a lease with apartments that were still not finished. However, a city official described it as “a situation of economics, where the earlier you sign, the less it costs.” The city now asks apartments complexes for their plans over transportation, living arrangements, storage facilities, and even gift cards for students who pre-lease but cannot move into their apartments due to it not being finished on time. A city official also said the following over students being without a home due to pre-leasing:

“If these were professional individuals in a professional career field and weren’t students, we wouldn’t tolerate them being treated the way they are being treated. We would say this is not right.”

PQ2b: Leases

What are the differences between installment contracts/rent-by-the-bed leases vs traditional leases?

The *2018 Guide to Living Off-Campus* describes the only difference between installment contracts and traditional leases to be the pro-rated rent. The document mentions how for an installment contract “total rent is divided evenly into the total number of the contracted months” (*2018 Guide to Living Off Campus*, Texas State University, p.11) and the “installment is due on the 1st of the month, even if you haven’t move in yet” (*2018 Guide to Living Off Campus*, Texas State University, p. 11). In contrast, most traditional leases have pro-rated rent and do not charge an entire month of rent if the move-in date is not on the first of the month.

The Austin Tenants Council representative also mentioned in an interview that a traditional lease does not call rent an installment. The interview brought up how installment contracts do not have pro-rated rent as well. They described an installment contract as follows:

“The language of the contract basically guarantees that the student owes a lump sum of money. The total owed for this apartment is X amount. As an example, let’s say \$13,000. It will state that lump sum. That \$13,000 represents twelve equal installments.”

City and Texas State University staff had similar comments when describing the difference in leases. Traditional leases were described as renting an entire apartment versus renting a bedroom in an apartment in rent-by-the-bed leases.

Local resources mentioned in their interview that installment contracts differ from the Texas Property Code. Section 91.006 in the Texas Property Code states that landlords have a duty to mitigate. If a person moves out before a lease ends, landlords need to fill the now empty unit and make it a priority. With rent-by-the-bed leases, landlords put in their contracts that they only fill the spot if the complex is at one hundred percent capacity. Most individual lease apartments also waive the security deposit. In traditional leases under Sections 92.103 and 92.109, if a landlord does not provide a list of damages within a specific timeframe, they pay the tenant \$100 plus three times the amount for the original deposit. However, by waiving security deposits, individual leases allow landlords to charge a tenant for damages up to four years after they move out.

A traditional lease also requires only one guarantor for the entire unit. With rent-by-the-bed leases, each occupant per room needs their separate guarantor. Local resources mentioned that traditional leases typically run cheaper, even if roommates need to ensure that everyone pays for

their rent. They are cheaper in the sense that roommates receive pro-rated rent, they keep their own furniture instead of relying on furnished apartments, and they receive security deposit protection.

What methods are used to educate Texas State University students on their leases?

The Attorney for Students Office at Texas State University is a resource that offers free legal services to students enrolled at the university. The website emphasizes that “the Attorney for Students office is happy to review your lease before you sign it” (*Renting Information*, Attorney for Students). Their website also contains documents that showcase legal rights and resources for students. For example, they provide a document titled “Must Ask Questions” (Appendix D) where they provide questions that students need to ask before signing an apartment lease and they include the following:

1. What happens if my apartment isn’t ready on my move-in date?
2. What type of lease will I sign, joint or individual?
3. Will I get to sign my actual unit before I sign the lease?
4. Do I need a guarantor?
5. Will you help me if I have a problem roommate?

The questions provided in the “Must Ask Questions” document follow common trends mentioned in the interviews. The city mentioned possible consequences of pre-leasing and the Austin Tenants Council representative mentioned how students do not get to see their apartment complex before move-in date. The website also provides a “Move-In/Move-Out Condition Inventory” checklist that students use to document the conditions of the apartment, and they provide *The Tenant’s Rights* pamphlet for students to find more information. In

addition, the Attorney for Students office gives presentations to U.S. 1100 classes when invited by course instructors.

University officials also concern themselves with the retention of students. They want to ensure that students do not leave Texas State University due to housing issues they experience in their apartments. In addition to offering resources provided by the Attorney for Students, the university partnered with the Austin Tenants Council. The aim is for students to be able to ask more questions about their leases and have their concerns addressed.

Other Lease Discussions– Roommates

Local resources mentioned how roommate matching becomes a major problem for students. A perk that off-campus purpose-built student housing offers is roommate matching; however, they do not legally need to comply with matching students with other roommates that fit their personalities based on a personality form they fill out. For example, a Texas State University student wanted to be matched with a female with no pets. She was instead matched with a 45-year-old man with a dog. The man did not attend Texas State University. When she asked to be moved to a different apartment unit, she was told by the apartment complex that she needs to pay a transfer fee, but they could not move her unless they found an available room.

In traditional leases, roommates have the option to do a roommate contract where they state their expectations. Roommates then sign the contract and it is a legally binding roommate agreement. If a roommate breaks the contract, then they face the possibility of being kicked out for breach of contract. Apartments that offer roommate matching stay liable for any conflict and roommates qualify to move to a different unit and void the lease if issues arise.

Table 5.2 - Pillar Question 2 Results Summary

<p>Pillar Question 2a: Rental agreement processes</p>	<ul style="list-style-type: none"> • Most apartments highlight their luxury amenities instead of their affordability; however, they do not face legal repercussions if they decide to stop offering amenities halfway through a semester. • Texas State University officials want to change the apartment marketing to highlight their fair rental practices instead of amenities. • Apartments advertise themselves as student housing even though they are not owned by the university. • Some students sign a lease for off-campus living in the fall semester. • Property management companies portray their individual leases as beneficial to students.
<p>Other Rental Agreement Processes – Pre-leasing</p>	<ul style="list-style-type: none"> • Pre-leasing can lead to students not having a home when school begins. • City of San Marcos tried implementing intervention strategies for students not to sign with unfinished apartments. • The City of San Marcos wants apartment complexes to have a plan for what they will do if they are not completed in time for the move-in date for students.
<p>Pillar Question 2b: Leases</p>	<ul style="list-style-type: none"> • Traditional leases described as renting an entire apartment versus renting a bedroom in an apartment in rent-by-the-bed leases. • Traditional leases do not call rent an installment. • Texas State University offers the Attorney for Students office that helps students with their lease questions and they also partnered with the Austin Tenants Council. • Individual leases ignore portions of the Texas Property Code.

Other Lease Discussions – Roommates	<ul style="list-style-type: none"> • Purpose-built student housing apartments can legally ignore the roommate matching requests from tenants.
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Pillar Question 3: Consequences

Document analysis and interviews with City of San Marcos, Austin Tenants Council, local resources, and Texas State University staff provide insight into the consequences of the current practices for purpose-built student apartments located off-campus for students and San Marcos. Interviews also showed that City of San Marcos and Texas State University staff believe that the ACT Agreement is effective while local resources believe that it needs improvement.

PQ3a: Students

What are the main types of complaints that Texas State University staff receive from students about their housing arrangements?

University staff see complaints from students over the lease terms. The purpose-built student apartments have a two-week period in the summer that is called “Make Ready Time.” During this time, students do not have a home because their leases do not start after the two weeks, even if they stay in the same complex for all their college years. Another big complaint from students are the repair times. Students claim that apartments take too long to fix any work orders they submit.

Under what circumstances can students break these leases?

According to the housing advocate with the Austin Tenants Council, students need to build a documented case before contemplating breaking a lease. There are very few statutory remedies

for breaking a lease, such as domestic violence. If a student documents their case, they should ask the legal services at their university to figure out if they have enough grounds to break a lease.

Local resources also mentioned sexual assault as a clause for breaking the lease and military deployment in the following quote:

“There are two ways to break a lease. Number one is if you are military and you are being deployed or you are being moved more than ninety miles away from your apartment. The second way is if you are the victim of sexual assault or stalking. You have to have an order of the court proving that this has occurred.”

However, local resources mentioned that having an emergency protective sometimes is not enough to break an installment contract. A tenant can move out, but the complex still expects them to pay rent.

As mentioned in the previous pillar question, landlords have a duty to mitigate. If a tenant wants to sublease an apartment, they need to find a replacement to take over the installment contract, which does not follow the Texas Property Code as the landlord should fill the spot by putting the next person who signs a lease into that unit. Local resources explained how even if a student finds a replacement to take over their installment contract, they do not always manage to get out of the contract, as shown in the example below.

“A lot of times, a student will find someone to relet, assign, or sublet their lease to. But the apartment complex will say “hey, why don’t you move over to this other room in the building and we’ll reduce your rent by \$10 a month.” So, they poach the subletter, assignee, or reletter, from the previous tenant and put them in a different place because they know that

the previous tenant is under a contractual obligation to pay the entire years installment loan contract amount.”

Other Consequences for Students – Leasing Staff

City staff mentioned in their interviews that leasing staff often gives students misinformation, which leads to financial ruin for the students. Many of the staff members at these apartments are students and have not been trained properly in the leasing industry. Property managers pushing out contracts sometimes are from other states, so they mention regulations that apply in other states but not in Texas. Some students sign two leases, find out that they cannot break the leases, which then leads to financial ruin.

A city staff member described it as follows:

“The people that are in the leasing field are fellow students and that doesn’t mean that they’re trained. It does not mean that they know what they’re talking about. So, they might tell somebody, if you don’t get a guarantor, the lease will be no good. You go ahead and sign it today and rent it out. If you want this spot, fill this out. If you don’t find a guarantor, then you can change your mind. No, you can’t.”

The housing advocate for the Austin Tenants Council also mentioned in their interview that student housing property management companies “don’t tend to inform the students about what they have a right in terms of the application and lease.” Texas Property Code only provides a requirement that a landlord refund an application deposit if an applicant is rejected, not if the applicant does not want to live there anymore. Leasing agents are not giving a student the terms of the contract which they will be held liable for a year before a student gives an application deposit. The advocate explained it using the following scenario:

“If the student gives them \$500 for an application deposit and then their background check is cleared and the leasing office says okay, you’re accepted, here’s the contract and the student reads the contract and doesn’t like the provisions of the contract, they have no recourse. They can’t change their mind and say wait a minute, I’m not signing that contract, I don’t like that. The leasing office says, well those aren’t negotiable terms. They literally have no recourse and they will lose their money and that’s common practice.”

PQ3b: San Marcos, Texas

How is San Marcos preparing for more students living off campus within the city limits?

The City of San Marcos conducts housing surveys with residents to determine how to prepare for more students. An example is the Comments on Housing Issues - Electronic Survey 2014. Of the twenty-nine comments in the 2014 survey, seven of them mention off-campus student housing apartments as an issue the city faces. The following include examples of some of the direct comments from San Marcos locals:

- “Older areas of town are being taken over by investors and student renters. We need to find a way to protect the areas of town that our parents live in.”
- “Student housing and hotels/motels seems to be all San Marcos is concerned with.”
- “Too much catering to Texas state students, too much apartment development aimed at college students (temporary residents) not city residents”
- “Way too much focus on student housing at the detriment of long-term citizens.”

How do rent-by-the-bed leases influence rent for non-student apartments?

In their interviews, city officials mentioned how rent-by-the-bed leases raise the overall rent for non-student apartments. They described how non-traditional apartments look at the units,

instead of individual rooms. So, if they see an apartment unit goes for \$2,400 for student housing, they raise rents accordingly, even though four different people live in that \$2,400 unit and pay \$600 per room. They also described how some traditional lease apartments now provide rent-by-the-bed leases. Apartments in San Marcos, Texas experience transitions, and some locals show concern, such as the following comment from the Comments on Housing Issues - Electronic Survey 2014:

- “The rental rate for apartments has been inflated by student renters and thus there are not affordable apartments for young people, lower income families etc. that can't afford to pay \$1,200.00 per month plus bills for rental home. Even if those people could afford and apartment, there are very few options that don't require living in a student environment which is incompatible for young people working 8-5 or people with children.”

Local resources also agreed that rent-by-the-bed leases increase rent for non-student apartments for the same reasons the City of San Marcos staff mentioned. They described how students who graduate no longer qualify for the apartment they've been living in due to longer having the student loan income in the following scenario:

“One of the problems is that students pay for these apartments through student loans, parents' income, and their own income. When they graduate, they don't have the student loans anymore, they don't have the parent income, and the average salary in San Marcos is \$28,000 to \$32,000 a year. They don't qualify to even live where they've been living during college because you need to have three to five times the amount rent.”

PQ3c: Relationships

How is the ACT agreement effective?

City staff mentioned a fear that Texas State University might decide to drop out of the ACT agreement. They believe the ACT agreement forces corporations to become accustomed to the unique requirements that they need to meet to be able to join the ACT Ally program and advertise on campus to students. It gives the city power to try and hold these complexes accountable. It is a way for the city to address rental problems as a non-legislative measure, as some residents feel that the government should stay out of it and not do rental registrations. Overall, they believe the ACT agreement helps bring stakeholders to the table and starts the conversation about the problems happening in San Marcos.

University staff overall believe that the ACT agreement helped Texas State University and the city come together. A university representative described the effectiveness of the quarterly meetings held with apartment complexes. City staff are also invited to these meetings and they can bring residential concerns and crime statistics that need to be addressed. The university believes that the ACT agreement also helped law enforcement with noise complaints.

However, local resources interviewed mentioned that the ACT agreement is too one-sided. The *ACT Ally 2018 – 2019 Tenant Education Disclosure Page*, shown in Appendix E, holds students accountable for their actions. It mentions that they are solely responsible for anything that occurs with their leases. Local resources believe it should also incorporate a section holding apartment complexes accountable for their actions. They also mentioned that the ACT agreement is too much of a marketing ploy for complexes. These purpose-built

student apartments save money on marketing by paying a member fee ranging from \$500 to \$3,000 depending on apartment size, and then having the Department of Housing and Residential Life at Texas State University promote their apartments.

Table 5.3 – Pillar Question 3 Results Summary

Pillar Question 3a: Students	<ul style="list-style-type: none"> • Main complaints from students are lease terms and “Make Ready Time.” • Students need to build a documented case before contemplating breaking a lease because there are very few statutory remedies for breaking a lease. • Sexual assault and military deployment break a lease. • Leasing staff give students wrong information about leasing.
Pillar Question 3b: San Marcos, Texas	<ul style="list-style-type: none"> • Surveys show that locals do not like student housing in their neighborhood. • Rent-by-the-bed leases increase rent for traditional apartments according to city officials. • Students living in rent-by-the-bed apartments do not qualify to live there without their student loans.
Pillar Question 3c: Relationships	<ul style="list-style-type: none"> • Both Texas State University staff and City of San Marcos agree that the ACT agreement has led to positive changes. • Quarterly meetings between apartments, university, and city staff. • Locals resources believe the ACT agreement is too one-sided.

Chapter Summary

This chapter showcases the results of the San Marcos case study about off-campus purpose-built apartments. The findings were based on document analysis, archival analysis, and

in-person interviews. The final chapter provides recommendations and conclusions based on the findings in this chapter.

Chapter VI: Conclusion and Recommendations

Chapter Purpose:

This chapter provides recommendations and conclusions based on the San Marcos case study. However, it does not provide recommendations for the antecedents' portion of the Applied Research Project, as this portion documents the historical aspect of purpose-built student housing.

Conclusion

The following sections describes the overall findings for all three pillar questions.

Antecedents

Overall, the antecedents show the growing tensions between two populations, the students and the locals. Newspaper sources from San Marcos, Texas show a tendency to describe off-campus purpose-built student housing as negative. Articles also describe the tensions between students and locals, due to students moving into residential neighborhoods. Some students also voice their negative opinions of purpose-built student housing and the effects they have on the local community.

Studentification changed San Marcos neighborhoods and residents feel threatened about students taking over their communities. City officials also show major concerns over the infrastructure in neighborhoods largely overtaken by purpose-built student housing. Developers built complexes there with little thought to how it affects traffic, stormwater, and general services that people need. In addition, city officials describe how these apartment complexes quickly show signs of deterioration.

City ordinances in San Marcos helped alleviate students living in houses in residential neighborhoods. However, the boom of purpose-built student housing in 2008 led to students moving into apartments in residential areas. Residents wanted to hold these apartment complexes accountable, which led to the ACT agreement between the city, Texas State University, and developers. Texas State University changed tactics from community walks to quarterly meetings after the ACT agreement finished implementing.

Processes

The findings showed that Texas State University students sign leases as early as October of their freshmen year for move in of August of the next year. Complexes market themselves as luxury apartments, but interviews showed that they do not necessarily need to continue providing those amenities, such as a private shuttle, for the duration of the lease term. An additional rental process that was discussed during interview included pre-leasing practices. Many students pre-lease an apartment undergoing construction and then become homeless when the apartment does not get finished on-time. The City of San Marcos implemented intervention strategies for apartment complexes to follow in the case of them not completing construction in time for the move-in date.

Traditional leases involve renting an entire apartment while rent-by-the-bed involves only paying rent for an individual bedroom and shared common spaces. Individual leases, or installment contracts, also ignore sections of the Texas Property Code that traditional leases follow. These sections include the duty to mitigate under Section 91.006, and most waive a security deposit, meaning they have up to four years to charge a past tenant for damages. To educate students on these leases, Texas State University offers the Attorney for Students office and partnered with the Austin Tenants Council.

Consequences

Students cannot break a lease unless documented proof shows that a sexual assault occurred, or a tenant undergoes military deployment. However, interviews showed that leasing staff often gives students wrong information about their leases because the employees are also college students and are not property trained. Students complain about the lease terms and “Make Ready Time,” since they have no place to stay for the two-week period that complexes use to get their apartments ready for the beginning of the next school year.

Surveys conducted by the City of San Marcos showed that locals do not like the increasing number of purpose-built apartments being constructed in their neighborhoods. Rent-by-the-bed leases also raise the rent for non-student apartments and students cannot afford to live there without the help of their student loans.

Overall, city and Texas State University staff credit the ACT agreement for improving relationships. University staff mention that quarterly meetings with the apartment complexes help them discuss problems that need to be addressed. In addition, they credit the ACT agreement for reducing noise complaints in residential neighborhoods.

Recommendation #1:

The first recommendation for this Applied Research Project involves teaching all freshmen about their leases in their U.S. 1100 classes. The class teaches freshmen how to succeed in college and currently, the Attorney for Students gives lessons to freshmen only if the instructor to the class invites them. However, many instructors do not invite the Attorney for Students Office, and even if they did, the office itself is too small to serve all the U.S 1100 classes. By making it mandatory to discuss leases and students’ options for off-campus living,

freshmen will be more aware of what they are getting into when they sign a lease. Students at Texas State University should be aware of the possible consequences of pre-leasing, as San Marcos experiences many unfinished apartments every school year.

Recommendation #2:

One of the main complaints from students about their rent-by-the-bed leases are the lease lengths so the university and city should advocate for these apartment complexes to offer shorter leases. For example, many traditional apartments offer six-month leases. A student who knows they graduate during the fall semester only wants to rent for a semester instead of a full year. While it is unlikely that purpose-built student apartments will switch to traditional leases, students should have options for a six-month rent-by-the-bed lease as well as the one-year rent-by-the-bed lease.

Recommendation #3:

The third recommendation for this ARP is for students to have an advocacy group as part of the ACT agreement. As the ACT agreement serves students, they should be allowed a voice to share their biggest concerns, their direct experiences, and to share knowledge amongst each other of their leases. As the interview with the City of San Marcos indicated, the problem with pre-leasing occurs because the target demographic for these apartments are college students, which are a vulnerable population. These problems do not occur in San Marcos with non-student apartments and therefore, students need a platform to voice their opinions on their housing situations.

As mentioned in interviews, the ACT agreement is too one-sided and pushes the blame on students. ACT needs to hold landlords responsible for their actions and if they engage in illegal

lease practices. By incorporating students into the ACT agreement, it gives them a platform to advocate for themselves.

Limitations

The study faces two main limitations. The first limitation is that no Texas State University students were interviewed during the study. The involvement of current students would provide an additional point of view of what they believe needs to change to make their living situations more ideal. It would also provide more details about living in these purpose-built student apartments.

The second limitation of the study is that no property managements companies were interviewed. Property managements companies in San Marcos are the third part of the ACT agreement. Their interviews could have provided additional information about how they think the ACT agreement is working and what they want changed.

Future Research

Suggestions for future research include incorporating students and property management companies in their research. Research should also focus on Texas legislation because changes in cities such as San Marcos need to happen on a state level. There should also be a study done with a pro-renter state to determine if college students and locals face the same issues with off-campus purpose-built student housing.

To truly understand how widespread the problems with these off-campus student apartments, it would also be beneficial to conduct multiple case studies for college towns with a booming student apartment market. These case studies should also involve parents, as they are

guarantors for their children. It would help determine if parents understand the differences between a traditional lease versus rent-by-the-bed leases and how it might affect their child.

Chapter Summary

This chapter concludes and summarizes the main findings from the previous chapter for the antecedents, processes, and consequences. It also provides three recommendations based on the findings. The chapter also provides the limitations of the Applied Research Project, and suggestions for future research.

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Appendix A



In future correspondence please refer to 6256

January 25, 2019

Anna Vite
Texas State University
601 University Drive.
San Marcos, TX 78666

Dear Anna:

Your IRB application titled "The Student Housing Problem: An Exploratory Study of San Marcos, Texas" was reviewed and approved by the Texas State University IRB. It has been determined that risks to subjects are: (1) minimized and reasonable; and that (2) research procedures are consistent with a sound research design and do not expose the subjects to unnecessary risk. Reviewers determined that: (1) benefits to subjects are considered along with the importance of the topic and that outcomes are reasonable; (2) selection of subjects is equitable; and (3) the purposes of the research and the research setting is amenable to subjects' welfare and producing desired outcomes; that indications of coercion or prejudice are absent, and that participation is clearly voluntary.

1. In addition, the IRB found that you need to orient participants as follows: (1) signed informed consent is not required as participation implies consent; (2) Provision is made for collecting, using and storing data in a manner that protects the safety and privacy of the subjects and the confidentiality of the data; (3) Appropriate safeguards are included to protect the rights and welfare of the subjects. (4) Compensation will not be provided for participation.

**This project is therefore approved at the Exempt Review Level
Category 2 Surveys, Interviews, or Public observation**

2. Please note that the institution is not responsible for any actions regarding this protocol before approval. If you expand the project at a later date to use other instruments, please re-apply. Copies of your request for human subjects review, your application, and this approval, are maintained in the Office of Research Integrity and Compliance.

Report any changes to this approved protocol to this office. All unanticipated events and adverse events are to be reported to the IRB within 3 days.

Sincerely,

Monica Gonzales
IRB Regulatory Manager
Office of Research Integrity and Compliance

CC: Dr. Patricia Shields

OFFICE OF THE ASSOCIATE VICE PRESIDENT FOR RESEARCH
601 University Drive | JCK #439 | San Marcos, Texas 78666-4616
Phone: 512.245.2314 | fax: 512.245.3847 | WWW.TXSTATE.EDU

This letter is an electronic communication from Texas State University-San Marcos, a member of The Texas State University System.

Appendix B

Unrelated Persons Occupancy Restrictions

Homes in certain zoning districts of the City of San Marcos are designated for “single family” use. A *family* is defined in the Land Development Code as any number of individuals living as a single housekeeping unit who are related by blood, legal adoption, marriage, or conservatorship. This means that in a single-family zoning district, the number of unrelated people who may occupy a home is limited.

Below is the section of the Land Development Code that addresses single-family dwellings.

Section 4.3.4.5

- (a) *Limited Number of Unrelated Individuals.* All dwelling units located in SF-R, SF-11, SF-6 (R-1), SF-4.5, DR, TH, PH-ZI, zoning districts shall be restricted to occupancy by a family, and up to one other person who is not related to any of the family members by blood, legal adoption, marriage, or conservatorship.
- (b) Prima facie proof of occupancy of a dwelling unit by more than two unrelated persons is established in any prosecution for violation of this section if it is shown that the same three or more vehicles with registrations to persons having different surnames and addresses were parked overnight at the dwelling unit a majority of nights in any 21 day period. This establishment of a prima facie level of proof in this subsection does not preclude a showing of “occupancy” of a dwelling unit by a person in any other manner.
- (c) The property owner and any agent of the property owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit the occupancy of a dwelling unit by more than two unrelated persons.

The City of San Marcos Planning and Development Services Department enforces the unrelated persons restriction. When a complaint is received, city staff contacts the property owner to explain the restriction and determine whether a violation exists. If there are more than two unrelated people residing there, staff will ask for voluntary compliance. In cases where compliance is not achieved in a reasonable amount of time, municipal court citations may be issued. Fines for these citations are up to \$900 for the first offense, and each day may be considered a separate offense.

If you have any questions about these or other zoning requirements, please contact the Planning Department at **512-393-8230**. You may ask for the zoning designation on a particular property, and staff will explain whether or not the unrelated persons restriction applies.

Appendix C



History of ACT

Conflict in a Town and Gown City

The shifting demographics of single family neighborhoods from full-time resident homeowners to short-term student renters can produce cross-cultural conflict and tension, particularly with noise and disturbances from loud parties late at night. In 2007, San Marcos police handled 2,833 noise complaints – the most frequent 9-1-1 call for service.

In terms of volume, the highest number of noise calls for service generally occurred at apartment complexes. The apartment residents were disturbed by noise and parties and officers expressed frustration with gatherings, especially those in the common areas such as a pool or volleyball court. Daytime parties were often had with the consent of management. Because the events were marketing tools, some properties would provide kegs of beer and live music to attract potential residents. At one property, approximately 3,500 people showed up on a Sunday afternoon after an open posting on a social media site.

Traditional enforcement efforts to curb noisy gatherings netted no significant improvement. Permanent residents were aggravated. Students felt they were being treated unfairly, and the police became trapped between conflicting community expectations that enforcement ranged from “not enough” to “too harsh”. It was apparent there had to be a change to effect long-term transformation in reducing the rate or impact of repeat crimes and disorder to improve quality of life.

Collaboration is Key

One way to get through turbulence is to create new norms. In 2008, the City of San Marcos and Texas State University joined in a historic partnership for comprehensive analysis, response, and assessment of noise and common sources of conflict in a town and gown city. This included a new understanding of noise, an overhaul of police responses, a streamlining of city ordinances, establishing host and guest responsibilities at gatherings, proactive policing of trouble spots and partnerships with property owners, managers, and community members.

For solutions to be effective, noise could no longer be the expected by-product of youthful gatherings. A new view of noise as harmful was necessary. Noise injures people physiologically, socially, and psychologically. It can be a potent stressor. Noise can be extremely detrimental when it interrupts sleep or relaxation. This new paradigm about noise permitted a better understanding of how noise affects livability in a neighborhood. Noise can diminish quality of life, reduce property values, and result in a neighborhood being a less desirable place to live.

Appendix C Continued

The ACT Campaign

The collaborative effort birthed the ACT (Achieving Community Together). One of the first steps in the ACT campaign was to establish a common mission between the stakeholders. A familiar cry from the San Marcos community was for the University to “do something” regarding off-campus conduct, implying punitive sanctions. The University focused on positive steps to develop student success leading to graduation. This understanding of the University’s mission led to the common goal – retention of students. For the University, engaged and contributing students stay in school. For the community, engaged and contributing students make good choices and do not disrupt quality of life in neighborhoods.

The ACT Campaign committee has broad-based membership and includes City of San Marcos representatives from the San Marcos Police Department, Code Enforcement, and Neighborhood Services. University members include the Vice President for Student Affairs, the Dean of Students, the LBJ Student Center (Campus Activities and Student Organizations, Off Campus Student Services), the Texas State University Police Department, Housing and Residential Life, the Attorney for Students, Community Relations, and Associated Student Government. Community representatives include the San Marcos Council of Neighborhood Associations and Hays County Dispute Resolution Center. The committee’s charge is to create a resident culture of care, cooperativeness, and collaboration.

The ACT committee meets on a monthly basis and in conjunction with the Austin Apartment Association meets with local property managers and owners on a quarterly basis. These partnerships are intended to reduce the sources of conflict in a town and gown city by shifting the emphasis from enforcement to education and community influence.

The educational efforts of the benefits in reducing noise are promoted in various ways. Students learn how to hold a responsible gathering and avoid having the police respond and issue an expensive citation. Property owners and apartment managers learn the financial reality that noise does not operate in a vacuum. Tenants with noise problems generally have other issues, such as late payment of rent, damaging or abusing the property, and attracting other criminal activity such as assaults, thefts, and burglaries. All these conditions can result in increased make ready costs for landlords at turnover. The police learn how to reduce the demand on resources, which frees officers to focus on other pressing issues. For the University and parents, it means students staying in school.

ACT education for students demonstrates how to transition successfully to off-campus housing and live in the community. For permanent residents, it means learning how to develop positive interactions with students and to deal with changing neighborhoods

Building a Resilient Community

The ACT program has been recognized on state, national, and international levels for effective problem solving and creating sustainable partnerships. In four years, noise complaints dropped 16.3% and arrests and citations 43.6% despite a 25.4% overall increase in police calls for service for the same time frame.

ACT blends research with “boots on the ground” experience plus student affairs and academics to create a map for building a resilient community through collaboration, team work, and respect.

Appendix C Continued

The ACT campaign is a long-term project because every year San Marcos has a new crop of student residents who move into the community. The ongoing nature of this project seeks to institutionalize problem-solving, communication and integration of new citizens coming to San Marcos. The close partnership of city and university, permanent and student residents creates maps for cross-cultural communication. The ACT campaign takes the view point of a person as a global citizen. ACT demonstrates how to transform people from temporary visitors to full time citizens—whether they choose to live permanently in San Marcos or move to another community.

Appendix D

MUST ASK QUESTIONS

1. **WHAT HAPPENS IF MY APARTMENT ISN'T READY ON MY MOVE-IN DATE?** (*New construction, remodeling, and late move-outs can cause occupancy delays*)
 - Where will I stay until my unit is ready and who will pay for it?
 - Can I cancel my lease if my unit isn't ready?
 - Do I have to pay rent if my unit is not ready on time?
2. **WHAT TYPE OF LEASE WILL I SIGN, JOINT OR INDIVIDUAL?** (*Joint = all tenants jointly liable; Individual = liable for your own room & jointly for common areas*)
 - What will I owe if my roommates leave early?
 - Who is responsible for damage to the bedrooms and common areas?
 - What if there was damage when I moved in?
 - How can I cancel my lease if I need to?
 - **TIP:** Your move-in inventory is **CRITICAL** to getting your security deposit back. If you see any damage, make sure you note it on the move-in inventory **AND** use the **FREE** app **RentRhino** to help you take photos.
3. **WILL I GET TO SEE MY ACTUAL UNIT BEFORE I SIGN THE LEASE?** (*Beware of "model" apartments*)
 - What if I see damages to the apartment, will you fix them before I move in?
 - **TIP:** Most units are leased as-is. Don't let model units lure you into a lease. Landlords are not required to make repairs unless they affect your health & safety, so be sure that you like the apartment before you sign.
4. **DO I NEED A GUARANTOR?** (*A signed lease is binding, even without a guarantor*)
 - What if I can't find a guarantor?
 - Can I move in without a guarantor?
 - If I sign a lease but can't find a guarantor, can I cancel my lease?
5. **WILL YOU HELP ME IF I HAVE A PROBLEM ROOMMATE?** (*Examples: smoking, drug use, loud or aggressive behavior*)
 - Can I cancel my lease?
 - Will you kick them out?
 - Can I change apartments and what will it cost me?
 - What do I do if they are engaged in illegal activities?

Attorney for Students

Division of Student Affairs—Office of the Dean of Students

www.attorney.dos.txstate.edu

Appendix E

ACT Ally 2018 - 2019 Tenant Education Disclosure Page

Achieving Community Together (ACT) is a collaborative effort between the City of San Marcos and Texas State University. ACT Ally is a program of ACT and the Department of Housing and Residential Life. ACT Ally connects students to the rental housing industry to assist students in making more informed decisions when choosing off campus housing. It is important to know the following when signing a lease.

1. My signature on this lease is final and nonnegotiable. I *cannot* change my mind without penalty. _____
2. If I am unable to find an acceptable co-signer or guarantor, I will *still be responsible for terms of the lease*. _____
3. If rent is payable as installments, I may have to pay the first installment several days or weeks before I can move in. _____
4. If my lease has an installment payment plan, my first and/or last installment will NOT be pro-rated. _____

Resident's Signature: _____

Name of Property: _____

Date: _____



This form is not an addendum or amendment to the lease. It is intended to raise awareness of the signer's obligations. This form is provided as a courtesy by Act Program, City of San Marcos, and Texas State University. Users of this form communicate, contract and do business with individuals, companies or firms at their own risk. The Regents, officers, agents and employees of Texas State University shall not be liable for any errors or omissions. <http://www.reslife.txstate.edu/OffCampusLiving/ACT>.