

**HOUSTON, WE HAVE A
PROBLEM AND IT'S YOUR 'ANTI
HOARDING' ORDINANCE: THE
LEGAL RAMIFICATIONS AND
SHORTCOMINGS OF HOUSTON'S
CONTROVERSIAL STATUTE**

Jake Dziubla

Hoarding behavior and hoarding disorder affect between two to five percent of the population and present various legal dilemmas for communities and those who hoard within their confines. Unlike many municipalities that have opted for more supportive solutions, Houston, Texas, in a case of therapeutic jurisprudence gone awry, has created an ordinance effectively criminalizing hoarding. The creation of a criminal statute as a means of reducing a behavior rooted in complex and nuanced psychology is destined for failure, and possibly worse: eviction, discrimination in housing based on one's criminal record, and homelessness. The scant legal research on hoarding and housing law has undoubtedly influenced the decision-making that led to the ordinance's creation. To be sure, the existing scholarship provides a thorough overview of

Dziubla

how hoarding fits into the legal landscape. However, these articles fall short in demonstrating concretely the ramifications on one's housing that can result when hoarding is criminalized.

This Article provides a legal analysis and critique to Houston's ordinance by describing how the ordinance fits within therapeutic jurisprudence, Texas' eviction procedures, and the reasonable accommodation provision within the Fair Housing Act. Pervading the Article is a reminder of the delicate psychology of hoarding and its impact on the individual. At its conclusion, the Article suggests that Houston form a hoarding task force to oversee the ordinance's implementation. By illuminating this shadowy intersection of the law and psychology, Houston and other communities can learn how to more adequately address the many social and legal problems posed by hoarding.