

## ADDENDUM

### TEXAS APARTMENT ASSOCIATION (TAA)

### FAQS ON THE TEXAS SUPREME COURT'S ORDER RE:

# Temporary Pause on Evictions

The Texas Supreme Court issued a fourth emergency order (the "Order") late Thursday, March 19, 2020, supplementing three previous orders, addressing hearings, trials and other proceedings and deadlines for residential-property evictions.

## Q.1 WHAT DOES THE ORDER DO?

The order temporarily halts residential evictions including trials, hearings and other proceedings brought under Chapter 24 of the Texas Property Code until April 19, 2020.

## Q.2 HOW DOES THIS ORDER AFFECT PENDING EVICTIONS?

Writs of possession may issue, but the posting of the written warning required by Property Code section 24.0061(d)(1) and the writ's execution may not occur before April 27, 2020. Despite this temporary delay in executing writs of possession, the deadlines for such pending matters are tolled so that the owner will not have to re-start the eviction process.

## Q.3 WILL JUSTICE COURTS CONTINUE TO ACCEPT NEW FILINGS?

Yes, new eviction filings may be accepted but the issuance and service of citation will be delayed and may not occur until after April 19, 2020.

## Q.4 DOES THIS ORDER STOP ALL EVICTIONS UNTIL APRIL 19, 2020?

No, this Order creates an exception which allows eviction cases to proceed if the actions of the resident or occupants "pose an imminent threat" of physical harm to the owner, the owner's employees or other residents, or if the residents or occupants are engaging in criminal activity.

In a third emergency order Thursday morning the Court and the Court of Criminal Appeals amended the original joint order to establish court proceedings may be conducted "away from the court's usual location with reasonable notice and access to the participants and the public." The change omits reference to the county-venue limitation in the original order so, for example, a judge assigned to an involuntary-quarantine challenge may preside from a location across the state.