Repair & Remedy Case Flowchart

Written petition filed with the court containing the requirements of *Rule 509.2(a).*

Citation immediately issued, containing the date for trial,must be no less than 10 days and no more than 21 days from the date the petition was filed.
TRCP 509.3

If petition doesn't contain landlord's name and business address **or** constable has made two diligent attempts at service under TRCP 509.4(a) but failed, may serve as provided by TRCP 509.4(b)(1).

If service under 509.4(b)(1) unsuccessful, court may grant alternative service, which must include both posting the citation and mailing it to the premises.
TRCP 509.4(b)(2)

Citation successfully served in same manner as citation in small claims or debt claim case.
TRCP 509.4(a)

Must be a jury trial if party requests in writing at least 14 days before trial and pays $22 jury fee or files Statement of Inability.
TRCP 504.1(a)

Return of service filed at least the day before trial. Trial held no less than six days after service. If plaintiff doesn't appear, may postpone or dismiss. If defendant doesn't appear, may take evidence. Judge may develop the facts of the case to ensure justice. No counterclaims are allowed.
TRCP 509.5, 509.7

Judgment issued in writing, must include names of the parties and street address of the premises. If plaintiff prevails, judgment must be served on the landlord in open court or as provided in Rule 501.4.

The judge may include in the judgment:

1) an order to repair or remedy the condition;
2) an order reducing rent from first notice until condition repaired or remedied;
3) a civil penalty of one month's rent plus $500
4) court costs and attorney's fees, if any; and
5) the tenant's actual damages.

Total judgment may not exceed $20,000.
TRCP 509.6; Prop. Code 92.0563(e)

Party may appeal the judgment within **21 days** by filing a notice of appeal and paying another filing fee (unless it is waived due to the filing of a Statement of Inability). ***No appeal bond is necessary***. Appellant must also pay costs or file Statement of Inability with county court, as provided by Rule 143a.
TRCP 509.8