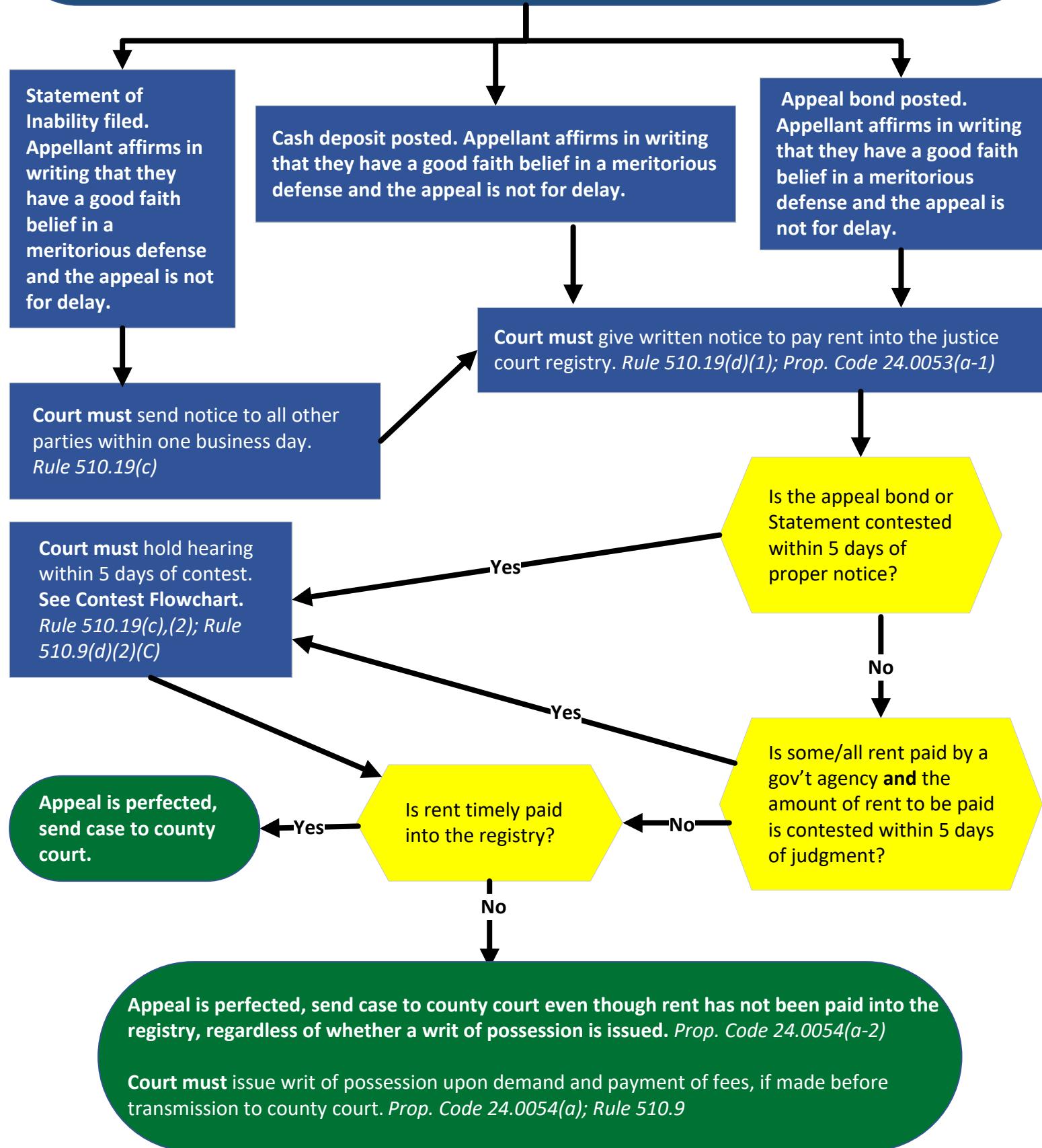


# Eviction Appeal Procedure Flowchart

Judge determines amount of appeal bond or cash deposit as provided in Rules 510.18 (appeal bond and rent amounts **must be included in judgment** in a residential eviction). Appeal **must** be filed by 5<sup>th</sup> day after judgment (see Rule 510.4) and a filing fee must be paid to the justice court unless it is waived due to the filing of a Statement of Inability. *Rules 510.19; Prop. Code 24.00511(a)*



# Eviction Appeal Contest Procedure Flowchart

Hearing must be held within

5 days of contest.

Prop. Code 24.00512(c); 24.0052(d); 24.0053(c)

Party contests the amount of rent paid by the tenant into the registry, and rent is paid in whole or in part by a governmental agency.

Court determines the amount to be paid by the tenant in accordance with the rental agreement terms and applicable laws and regulations. Any further requests for reconsideration will be made in county court. Rule 510.19(d)(2)(C); Prop. Code 24.0053(c),(d)

If appeal bond is approved, appeal is perfected, send case to county court.

Has TDI approved the surety to do business in Texas?

No

Court determines if amount and form of bond are sufficient and if surety has sufficient non-exempt assets  
Prop. Code 24.00512

Must dismiss the contest.

Prop. Code 24.00512(a); Rule 510.7(d), 510.19

Party contests a Statement of Inability.

Is a legal aid provider certificate filed with the Statement?

No

If Statement is approved, appeal is perfected, send case to county court.

Court determines if appellant can afford appeal bond or cash deposit. If no, must enter a written order detailing reasons.  
Rule 510.7(d), 510.19

If appeal bond disapproved, party may post cash deposit or Statement of Inability or appeal the disapproval to county court within 5 days. Prop. Code 24.00512(e)

If Statement disapproved, party may appeal the disapproval to county court within 5 days or post cash deposit or appeal bond by the next day after the five day period expires. Rule 510.19, 510.19(c)(3)

If nothing timely filed, appeal is not perfected, writ should be issued by the justice court upon demand and payment of fees.  
Prop. Code 24.00512(e)

If disapproval appealed, send up bond/Statement and related documents.  
Rule 510.19; Prop. Code 24.00512(f)

If cash deposit timely filed, appeal is perfected, send case to county court.  
Prop. Code 24.00512(e)

If Statement or appeal bond timely filed, go to applicable box at top of Appeal Flowchart.

If county court disapproves bond, party has 5 days to file cash deposit or Statement. Go to box at top of Appeal flowchart if filed. If not, justice court must issue writ upon demand and payment.  
Prop. Code 24.00512(g)

If county Court approves bond or Statement, send entire case up.

If county court disapproves Statement, party has 1 business day to file cash deposit or appeal bond. Go to box at top of Appeal Flowchart if filed. If not, justice court must issue writ upon demand and payment. Rule 510.19(c)