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May 14, 2002

Judge Tom Lawrence  
121 West Main  
Humble, Texas 77338

via regular mail and  
email: tom\_lawrence@jp.co.harris.tx.us

Re: Proposed eviction rules

Dear Judge Lawrence:

As attorney for the Texas Apartment Association, I am enclosing a May 13<sup>th</sup> draft of what TAA supports as changes to the rules in the Texas Rules of Civil Procedure that affect evictions. It contains the same numbering system and most of the substantive changes in the most current draft by the subcommittee of the Supreme Court Advisory Committee. In the indented commentary in the TAA draft, it notes after each rule (1) how the TAA proposal differs from the existing rules and (2) how it differs from the May 7<sup>th</sup> SCAC subcommittee draft. Wherever the TAA draft substantively differs from the SCAC draft, I have explained our reasons why.

Also enclosed is a computer-generated comparison of the TAA May13th draft to the SCAC subcommittee's May 7<sup>th</sup> draft of the rules.

TAA believes that it is possible to preserve speedy resolution of eviction cases while still retaining fairness and practicality for all concerned. We believe the enclosed rules are much improved over the existing rules, thanks to the ideas from the subcommittee of the Supreme Court Advisory Committee, as well ideas we have incorporated after having discussed the rules extensively in recent months and years with Judge Sandy Prindle (president of the JP and Constables Association) and Fred Fuchs (attorney for the Travis County Legal Aid Society).

I will be in attendance at the May 17<sup>th</sup> 9:00 a.m. meeting of the Supreme Court Advisory Committee at the State Bar Building in Austin in order to answer any questions you may have about the TAA draft or any of the other suggestions or objections submitted to the Committee by other groups affected by the eviction rules. Thank you for all the time and effort your Committee has and will be putting into an improved version of the eviction rules.

Sincerely yours,

NIEMANN & NIEMANN, LLP

By /s/ Larry Niemann  
Larry Niemann

Enc: (1) May 13<sup>th</sup> TAA draft of eviction rules and  
(2) comparison TAA May 13<sup>th</sup> draft and SCAC Subcommittee May 7<sup>th</sup> draft

xc: via mail and email

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