

Bond Case Briefs

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EMINENT DOMAIN - LOUISIANA

Tessier v. City of Denham Springs

Court of Appeal of Louisiana, First Circuit - December 3, 2024 - So.3d - 2024 WL 4942841 - 2024-0351 (La.App. 1 Cir. 12/3/24)

Property owner appealed city council's order of condemnation of his buildings for demolition due to being in a dangerous and/or unsafe condition.

The District Court affirmed order of condemnation and subsequently denied owner's motion for a new trial. Owner appealed.

The Court of Appeal held that:

- Character of city's decision to demolish owner's buildings weighed against finding city's condemnation of building to be an improper taking;
- Demolition of buildings would have little to no economic impact on owner, weighing against finding city's condemnation of buildings to be an improper taking; and
- Demolition of buildings would not interfere with any investment-backed expectations in the buildings, weighing against finding city's condemnation of buildings to be an improper taking.