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CONDEMNATION - TEXAS

Montellano v. Jones

Court of Appeals of Texas, San Antonio - January 21, 2026 - S.W.3d - 2026 WL 157128

Homeowner brought action against city officials, alleging officials acted ultra vires by failing to implement statutorily required relocation assistance program to benefit homeowner when city building standards board ordered demolition of homeowner's house after finding it was public nuisance in need of abatement.

The 225th District Court granted officials' plea to the jurisdiction. Homeowner appealed.

The Court of Appeals held that:

- Officials did not have statutory duty to implement relocation assistance program, and thus did not act ultra vires, and
- Homeowners' right to due course of law under state constitution was not violated.

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