

Neighbor Law Research Guide

Overview

This research guide includes information and resources on neighbor law. This guide helps provide information for common types of neighbor disputes, including fences, trees, and easements. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Agriculture Code

- Ch. 142 Estrays
<https://statutes.capitol.texas.gov/docs/AG/html/AG.142.htm>
- Ch. 143 Fencing of Cultivated Land
<https://statutes.capitol.texas.gov/Docs/AG/html/AG.143.htm>

Texas Civil Practice and Remedies Code

- Ch. 16 Subchapter B Limitations of Real Property Actions
<https://statutes.capitol.texas.gov/Docs/CP/html/CP.16.htm#16.021>
- Ch. 75 Limitation of Landowners' Liability
<https://statutes.capitol.texas.gov/Docs/CP/html/CP.75.htm>
- Ch. 125 Common and Public Nuisances
<https://statutes.capitol.texas.gov/Docs/CP/html/CP.125.htm>

Texas Local Government Code

- Ch. 212 §212.905 Regulation of Tree Removal
<https://statutes.capitol.texas.gov/Docs/LG/html/LG.212.htm#212.905>

- Ch. 240 §240.909 Regulation of Tree Cutting in Certain Counties
<https://statutes.capitol.texas.gov/Docs/LG/html/LG.240.htm#240.909>

Texas Penal Code

- Ch. 42 §42.01 Disorderly Conduct and Related Offenses
<https://statutes.capitol.texas.gov/Docs/PE/html/PE.42.htm>

Secondary Resources in Print

Neighbor Law: Fences, Trees, Boundaries & Noise KFT 639.Z9 J67

Texas Litigation Guide REF KFT 1730.T4

- Vol. 18, Ch. 280 Adjoining Landowners
- Vol. 19A, Ch. 311 Nuisance

Everybody's Guide to Small Claims Court KF 8769.Z95 W37

- Ch. 2 Nuisance Cases, pp. 41-42
- Ch. 4 Emotional or Mental Distress Cases, pp. 58-59
- Ch. 7 Class Actions, pp. 104-105 (examples of nuisance cases)

NOLO's Encyclopedia of Everyday Law: Answers to Your Most Frequently Asked Legal Questions KF 387.N646

- Ch. 2 Neighbors

Texas Special Issues Forms KFT 1742.4 .A65 R63

- Vol. 1 Practice Guide to Adjoining Landowners, p. 7-3
 - Adjoining Landowners: Encroachment, p. 7-3
 - Adjoining Landowners: Lateral Support, p.11

- Adjoining Landowners: Party Wall Cost, p. 13
- Adjoining Landowners: Wrongful Removal of Adjoining Fence, p. 15

CLE Materials

Litigation Update Institute (*PDF only*)

- 2022 Ch. 10 Reputational Torts and the Texas Anti-SLAPP Law: The Essential Guide with Updates on the Texas Defamation Mitigation Act

Online Resources

Neighbor Law Guide (TSLL)

<https://guides.sll.texas.gov/neighbor-law>

- Fences: <https://guides.sll.texas.gov/neighbor-law/fences-and-boundaries>
- Trees: <https://guides.sll.texas.gov/neighbor-law/trees>
- Noise & Nuisances: <https://guides.sll.texas.gov/neighbor-law/noise-and-nuisances>
- Easements: <https://guides.sll.texas.gov/neighbor-law/easements>
- Backyard Animals: <https://guides.sll.texas.gov/neighbor-law/backyard-animals>
- Water Damage: <https://guides.sll.texas.gov/neighbor-law/water-damage>

Bad Neighbors: What is Nuisance?

<https://texaslawhelp.org/article/bad-neighbors-what-is-nuisance>

Texas Laws on Property Disputes Between Neighbors

(NOLO) <https://www.nolo.com/legal-encyclopedia/texas-laws-neighbor-property-disputes-65256.html>

What's a Spite Fence and What Can I Do About the One My Neighbors Built? (NOLO)

<https://www.nolo.com/legal-encyclopedia/whats->

[spite-fence-what-can-i-do-about-the-one-my-neighbors-built.html](https://www.nolo.com/legal-encyclopedia/whats-spite-fence-what-can-i-do-about-the-one-my-neighbors-built.html)

A Landowner's Guide to Fence Law in Texas (Texas Farm Bureau) https://texasfarmbureau.org/wp-content/uploads/2017/02/FiveStrands_Bradbury-min.pdf

Article: Encroachments: Unwelcome Invaders (Texas A&M Univ.)

<https://assets.recenter.tamu.edu/documents/articles/1074.pdf>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)