

## Harris County Sheriff's Office Nuisance Abatement Program

The Harris County Sheriff's Office (HCSO) Nuisance Abatement Enforcement Program assists the community in identifying public nuisances within unincorporated Harris County. The Harris County Sheriff's Office will respond to all complaints received regarding Nuisance Abatement concerns and take the appropriate actions, including referral to the Harris County Public Health & Environmental Service or the Harris County Attorney's Office, to resolve the issue.

### What does "abatement" mean?

Abatement is the elimination of a "nuisance" by removal, repair or demolition.

### What qualifies as Nuisance Abatement?

**Abandoned Motor Vehicles** – according to the Texas Transportation Code a motor vehicle is abandoned if the motor vehicle is (1) inoperable, is more than five years old, and has been left unattended on public property for more than 48 hours (2) has remained illegally on public property for more than 48 hours (3) has remained on private property without the consent of the owner or person

in charge of the property for more than 48 hours

(4) has been left unattended on the right-of-way of a designated county, state, or federal highway for more than 48 hours (5) has been left unattended for more than 24 hours on the right-of-way of a turnpike project constructed and maintained by the Texas Turnpike Authority division of the Texas Department of Transportation of a controlled access highway; or (6) is considered an abandoned motor vehicle under Section 644.152@. (b) In this section, "controlled access highway" has the meaning assigned by Section 541.302.

**Junked Vehicles** – The term "junked vehicle" means a vehicle that is self-propelled and (1) does not have lawfully attached to it an expired license plate " or " a valid motor vehicle inspection certificate. (2) and is wrecked, dismantled or partially dismantled, or discarded, or inoperable and has remained inoperable for more than 72 consecutive hours if the vehicle is on public property or 30 consecutive days if the vehicle is on private property.

**Abandoned Structures and Properties** is any structure or property by definition which falls under the Abandoned Properties Neighborhood Nuisance Act and can be described as a "Public Nuisance" under Chapter 343 of the Health and Safety Code, in unincorporated Harris County.

**Common Nuisance** is any structure or property with a history of police calls for service due to criminal complaints, countless arrests, and a continuation of criminal activity despite the conviction and/or incarceration of offenders.

## What is a Nuisance Abatement lawsuit?

A nuisance abatement lawsuit may be filed by the County Attorney's Office Special Prosecution Unit (SPU) if the landowner or person maintaining the property fails to cooperate in cleaning up the property or evicting the tenants. The purpose of a nuisance abatement lawsuit is not to show or prove that the property owner is guilty of illegal acts, rather to prove that the property owner allowed the illegal activity to occur on the property and failed to make reasonable attempts to stop it.

## What can you do?

**Notify the Harris County Sheriff's Office Dispatch at (713) 221-6000 and report the public nuisance.** You may also contact the Harris County Public Health & Environmental Services at (713) 274-6300 and report the public nuisance or file a complaint online at [www.hcphees.org/eph/complaints](http://www.hcphees.org/eph/complaints)

## Legal References

The Nuisance Abatement Program is designed to abate "public nuisances" in unincorporated Harris County by utilizing the following legal references:

Texas Transportation Code  
Health and Safety Code  
Texas Civil Practice and Remedies  
Neighborhood Nuisance Abatement Act  
Texas Occupation Code