



COUNTY JUDGE

Fort Bend County, Texas

Robert E. Hebert
County Judge

(281) 341-8608
Fax (281) 341-8609

July 10, 2012

Poyee Tung and Patrick Kee
3847 Durness Way
Houston, Texas 77025

Reference: Account Number 1141-01-002-0200-907
Tax Year 2011, Precinct 2

Dear Mr. Tung and Mr. Kee:

The County has received your request to waive penalty, and interest on Fort Bend County property taxes. Fort Bend County is also authorized by Fort Bend Independent School District and Fort Bend Water Control & Improvement District No. 2 to act on their behalf, bringing the total amount requested to \$480.42 for the referenced account for tax year 2011.

If you have documented proof of an *error* on the part of the County Tax Office or the Central Appraisal District, you may present that documentation to the Commissioners Court on Tuesday, July 24, 2012, at 1:00 p.m., when your request will be considered. The Commissioners Court is located at the William B. Travis Building, 301 Jackson Street, Suite 700, in Richmond, Texas.

Please contact your Commissioner Grady Prestage, at telephone 281-403-8000, or by email at james.prestage@co.fort-bend.tx.us, if you wish to discuss your request in further detail.

State law mandates that the Commissioners Court cannot approve a waiver of penalty and interest on property taxes unless an error can be proved on the part of either the County Tax Office or the Central Appraisal District.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Hebert", written in a cursive style.

Robert E. Hebert

Copy: Grady Prestage, Commissioner Precinct 2

Section 33.011(a)(1) of the Texas Property Code states, "The governing body of a taxing unit: shall waive penalties and interest on a delinquent tax if an act or omission of an officer, employee, or agent of the taxing unit or the appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency."

COUNTY TAX ASSESSOR / COLLECTOR

Fort Bend County, Texas

Patsy Schultz, RTA
County Tax Assessor/Collector
1317 Eugene Heimann Circle
Richmond, TX 77469-3623

(281) 341-3710
Fax (281) 341-9267
Email: schulpat@co.fort-bend.tx.us
www.fortbendcountytax.com

June 19, 2012

TO: County Judge Robert E. Hebert
Commissioner Richard Morrison
Commissioner Grady Prestage
Commissioner Andy Myers
Commissioner James Patterson
Roy Cordes, County Attorney

FROM: Tammy Staton T.S.
Tax Division Supervisor

RE: Waiver of Penalty and Interest –Kee, Patrick & Poyee Tung : Account # 1141-01-002-0200-907, 2011 Tax Year;
Legal Description: Applecreek Bend, Block 2, Lot 20

Precinct 2

Poyee Tung and Patrick Kee are requesting waiver of penalty and interest for 2011 tax year because they did not receive their tax statement. Taxpayer states that this is rental property and they do not live at this address, nor receive their mail at this address.

Tax Office Records Indicate:

1. Original deed # 2011041887 was recorded on May 5, 2011, with the owners listed as Patrick Kee and Poyee Tung. Grantee address was listed as: 4110 Winesap Bend Drive, Stafford, Texas 77477.
2. November 17, 2011 – 2011 Original Owner Tax Statement was mailed to: Kee Patrick & Poyee Tung, 4110 Winesap Bend Dr, Stafford, TX 77477-4636. **Tax Office records indicate the 2011 Original Tax Statement was returned by the Post Office as “Attempted Not Known”.**
3. February 29, 2012 – 2011 Reminder Notice was mailed to: Kee Patrick & Poyee Tung, 4110 Winesap Bend Dr, Stafford, TX 77477-4636. **Tax Office records indicate the 2011 Reminder Notice was returned by the Post Office as “Attempted Not Known”. A handwritten notation was also on the envelope “Don’t Live Here”.**
4. May 8, 2012 – Tax Clerk faxed delinquent tax statement per owner request. Owner stated this is rental property-does not live at this address. Tax Office records do not reflect prior request for duplicate tax statement from Certified Owner.

FORT BEND COUNTY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN,
SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICES.

5. There is no evidence of an error by the Fort Bend Central Appraisal District or the Fort Bend County Tax Office.
6. Fort Bend ISD and Fort Bend WCID #2 have authorized Fort Bend County Tax Office to handle the processing of the waiver of penalty and interest, and allow the Fort Bend County Commissioners Court to make the determination based on 33.011 of the State Property Tax Code.

Breakdown of Taxes Paid:

Account 1141-01-002-0200-907:

2011 Tax Year

Tax Unit	Base	Penalty & Interest	Collection Fees	Total Waiver Request
Fort Bend ISD	\$ 2,451.80	\$ 318.73	\$0.00	\$ 318.73
Fort Bend WCID#2	\$ 329.35	\$ 42.82	\$0.00	\$ 42.82
FBC	\$ 914.41	\$ 118.87	\$0.00	\$ 118.87
Total	\$ 3,695.56	\$ 480.42	\$0.00	\$ 480.42

Total Penalty & Interest: \$480.42

I do not recommend waiver of penalty and interest. Property Tax Code Section 33.011 (a) (1). "The governing body of a taxing unit: shall waive penalties and may provide for the waiver of interest on a delinquent tax if an act or omission of an officer, employee, or agent of the taxing unit or the appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency..."

Poyee Tung
Patrick Kee
3847 Durness Way
Houston, Texas 77025

May 20, 2012

County Judge Robert E Hebert
301 Jackson, Suite 719
Richmond, Texas 77469

Re: Waiver of Penalty and Interest for property R 326904

Dear Judge Hebert,

I am writing to request for your consideration to waive the penalty and interest for the property:

4110 Winesap Bend Drive
Stafford, Texas 77477
for tax year 2011.

We purchased the above investment property with the pre-existing tenants in May 2011. It only came to our attention recently that the 2011 tax statement from the Fort Bend County Tax Assessor was sent to our rental property address instead of our personal address here in Houston. Since we do not live in our investment property, we have been relying on our tenants to relay any important document to us. Unfortunately, this has not occurred and our account has become delinquent, and incurred penalty and interest charges of \$480.42.

We are obviously very disappointed with the lack of communication with our tenants. However, we also hope you could appreciate that this incident is totally unintentional. If you have the opportunity to review our personal records, you will notice that we are responsible members of the community. We have excellent credit record and we have paid all our mortgage payments, property tax accounts, credit card bills and utility bills on time. We have never had the intention of not paying our account in a timely fashion. We sincerely appreciate your consideration.

Sincerely,



Poyee Tung



Patrick Kee

COUNTY CLERK
RECEIVED
MAY 10 2012

DUPLICATE TAX RECEIPT



PATSY SCHULTZ, RTA
FORT BEND COUNTY TAX ASSESSOR/ COLLECTOR
1317 EUGENE HEIMANN CIRCLE
RICHMOND, TEXAS 77469-3623

Certified Owner:

KEE PATRICK & POYEE TUNG
4110 WINESAP BEND DR
STAFFORD, TX 77477-4636

Legal Description:

APPLECREEK BEND, BLOCK 2, LOT 20

Parcel Address: 4110 WINESAP BEND DR
Legal Acres: 0.0000

Remit Seq No: 20895784
Receipt Date: 05/11/2012
Deposit Date: 05/14/2012
Print Date: 05/22/2012

Deposit No: L120511
Validation No: 9
Account No: 1141-01-002-0200-907
Operator Code: CRUZ

Table with 7 columns: Year, Tax Unit Name, Tax Value, Tax Rate, Levy Paid, P&I, Coll Fee Paid, Total. Rows include 2011 Fort Bend Isd, Fort Bend Wcid#2, Fort Bend Co Drainage, Fort Bend Co Gen Fnd, and a total row.

Check Number(s): 001494

PAYMENT TYPE:

Checks: \$4,175.98

Exemptions on this property:

Total Applied: \$4,175.98

Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER:
PATRICK H KEE
POYEE P TUNG
3847 DURNESS WAY
HOUSTON, TX 77025

(281) 341-3710