

COUNTY JUDGE

Fort Bend County, Texas

Robert E. Hebert
County Judge

July 12, 2017

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

Patrick Hoffman
27005 Hoyt Lane
Katy, TX 77494

Reference: Account Number: 0383-00-003-0011-914
Tax Year 2016, Precinct 3

Dear Mr. Hoffman:

The County has received your request to waive penalty and interest on Fort Bend County property taxes. Fort Bend County is also authorized to act on behalf of Katy Independent School District and Fort Bend Emergency Services District #4 which represents a total amount of \$799.77 for penalties assessed on the referenced account for tax year 2016. The Tax Assessor's Office has conducted research on your account; a copy of the research is enclosed with this letter, and has also been provided to the Commissioners Court.

The information you provided, along with the Tax Office research, has been placed on the Agenda, becoming part of public record, for the Commissioners Court meeting on Tuesday, July 25, 2017 at 1:00 p.m. Commissioners Court is located at the Historic Courthouse, 401 Jackson Street, 2nd Floor, in Richmond, Texas.

You are not required to appear in order for the Court to consider your request. Action by the Court is governed by guidelines under Texas Tax Code, Chapter 33, Section 33.011*, Commissioners Court cannot waive penalty, interest and/or collection fees unless there is evidence of an error by the appraisal district or the County. However, if you have any new information showing proof of an error that was not researched by the Tax Assessor and wish to discuss, please contact your Commissioner, Andy Meyers, prior to July 25, 2017, at telephone 281-238-1400 or by email at andy.meyers@fortbendcountytexas.gov, to discuss any additional documentation you may wish to provide to the Court when they consider your request.

Sincerely,

A handwritten signature in blue ink that reads "Robert E. Hebert".

Robert E. Hebert

Enclosure

Copy: Commissioner Andy Meyers, Precinct No. 3

*Section 33.011(a)(1) of the Texas Tax Code states, "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."



COUNTY TAX ASSESSOR / COLLECTOR

Fort Bend County, Texas

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

COUNTY JUDGE
RECEIVED

JUL 11 2017

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

July 11, 2017

TO: County Judge Robert E. Hebert
Commissioner Vincent Morales
Commissioner Grady Prestage
Commissioner Andy Meyers
Commissioner James Patterson
Roy Cordes, County Attorney

FROM: Tammy Staton T.S.
Chief of Property Taxes

Re: Waiver of Penalty and Interest – Patrick R. Hoffman: Account #0383-00-003-0011-914,
2016 Tax Year; Legal Description: 0383 Jesse Burdett, Acres 1.4807, Lexington Estates, Lot 11.

Precinct 3

Patrick Hoffman is requesting a waiver of penalty and interest for the 2016 tax year stating that his payment was remitted through his online bill pay service within the given time frame.

Tax Office records and research:

- February 7, 2017- Fort Bend County Tax Office received the 2016 tax payment in the amount of \$11,215.73 for base tax only therefore payment was applied short.
- February 15, 2017–Tax Payer was sent a short notice and given 12 business days to pay the remaining balance due of \$785.09.
- February 21, 2017 – 2016 Reminder Notice was mailed to Hoffman, Patrick 27005 Hoyt Ln. Katy, TX 77494-4318.
- March 2, 2017- Taxpayer called in regards to receiving reminder notice. He spoke to both a clerk and a supervisor and was told a balance remained due because the envelope his payment was mailed in did not have an official postmark stamp from the United States Postal Service. If there is no postmark date indicated on the envelope office policy is to use the check date. The check was dated February 1,

2017. There is no evidence submitted by the taxpayer showing that the taxpayer or bank delivered payment for the tax before the delinquency date to the United States Postal Service.

- There is no evidence of an error by the Fort Bend County Tax Office or the Fort Bend Central Appraisal District.
- Katy ISD and Fort Bend ESD #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 Section 33.011 of the State Property Tax Code.

Breakdown of Taxes Paid:

Account 0383-00-003-0011-914:

2016 Tax Year

Tax Unit	Base	Penalty & Interest	Total Waiver Request
Katy ISD	\$8,528.15	\$608.13	\$608.13
FB ESD #2	\$460.46	\$32.83	\$32.83
FBC	\$2,227.12	\$158.81	\$158.81
Total	\$11,215.73	\$799.77	\$799.77

Total Penalty and Interest: \$799.77

I **do not** recommend waiver of penalty and interest for **2016**. 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..."

County Judge Robert E. Hebert
401 Jackson
Richmond, TX 77469-3110

County Judge
Received

APR 03 2017

Account Number: 0383-00-003-0011-914

Legal Description: 0383 Jesse Burdett, Acres 1.4807, Lexington Estates, Lot 11

I paid my Property Taxes on 1/27/17 by entering the county payment information into my bank's online billpay system and processed my payment request at that time to FBC.

I received a letter from FBC, dated 2/15/17, outlining penalties and interest on my account. Shortly thereafter I began researching the billpay information for this payment both online and through a series of discussions with my bank, Charles Schwab Bank.

My initial conversations with the county refuting the penalty and interest charges began on 3/2/17, eventually speaking with a supervisor, Mandy Oyugi. From that point forward there was ongoing dialogue with both the county and my bank coordinating the required proof of mailing for FBC.

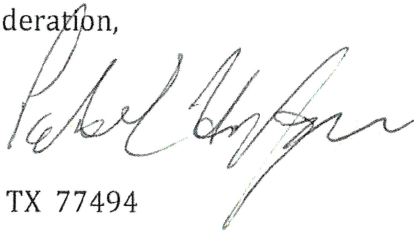
Upon learning of the FBC decision, 3/22/17 email, not to accept the bank billpay documentation as proof of timely payment, I paid the balance due \$799.77 on 3/27/17, via personal check this time!

Bank billpay has been around for quite some time now; just like fax machines have given way to email and attachments, so too have personal checks given way to online bank billpay.

It is my contention that to only accept snail-mail postmarks as proof that payment has been mailed on or before a deadline date is a rigid and outdated policy. As long as banks are routinely processing multiple customer payments via their billpay systems in a bulk "un-postmarked" envelope this disconnect is going to continue.

I appreciate your consideration,

Patrick R Hoffman
27005 Hoyt Lane, Katy TX 77494
281 798 7393



Mandy 80, 2017



March 16, 2017

Patrick Hoffman
27005 Hoyt Ln
Katy, TX 77494-4318

Account #: [REDACTED]
Reference:
Questions? Call 1-888-403-9000

Important information about your Schwab Bank High Yield Investor Checking(R) account.

Dear Patrick Hoffman,

We are writing to confirm the following bill pay payment(s) sent from the Schwab Bank High Yield Investor Checking account referenced above.

Type: Bill Pay Check

Remit Date: January 30, 2017

Payment Date: February 1, 2017

Amount: \$11,215.73

Payee: Fort Bend County Tax Assessor

Check Number: 995457

Account Number: [REDACTED]

Memo: 27005 Hoyt Ln, Katy Prop Tax

Address where check was mailed: 1317 Eugene Helmann Cir, Richmond, TX 77469-3623

Check Status: Cleared February 8, 2017

check was not the clear
check was post-dated to the anticipated delivery date

The payee above was established as a biller in our bill pay system on January 27, 2017.

Entered payment into system

This letter is for informational purposes only and is not an official record. Please refer to your statements as they are the official record of your transactions.

Thank you for the opportunity to serve you. If you have any questions or need assistance, please call us at 1-888-403-9000, Monday through Friday from 7:00 a.m. to 11:00 p.m. ET, Saturday from 8:00 a.m. to 10:30 p.m. ET, or Sunday from 9:00 a.m. to 10:30 p.m. ET. You may also write us at Charles Schwab Bank, P.O. Box 982605, El Paso, TX 79998.

(Continued on next page)



CHECK.

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

7.1.49

AMOUNT DUE IF PAID BY THE END OF:

Print Date: 02/03/2017

01/28/2017 7%	03/31/2017 9%	04/30/2017 11%	05/31/2017 13%	06/30/2017 15%	07/31/2017 18 + 20%
\$12,000.83	\$12,225.14	\$12,449.46	\$12,673.77	\$12,898.09	\$15,881.47

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PATSY SCHULTZ, PCC
FORT BEND COUNTY TAX ASSESSOR/COLLECTOR
PO BOX 1028 - PAYMENT PROCESSING DEPT
SUGAR LAND, TX 77487-1028



0383-00-003-0011-914
HOFFMAN PATRICK R
27005 HOYT LN
KATY, TX 77494-4318

AMOUNT PAID:

\$

000000R213729 047 0001200083 0001222514 0001244946 0001267377 9

-1 2/7/2017 8:50:34 AM 11215.73

DOCUMENT CONTAINS COLORED BACKGROUND ON WHITE PAPER. "VOID" FEATURE, SIMULATED WATERMARK (REVERSE SIDE) MICRO-PRINT BORDER.	
Account: [REDACTED]	POST THIS PAYMENT FOR OUR MUTUAL CUSTOMER
	\$11,215.73
PATRICK R. HOFFMAN 27005 HOYT LN KATY, TX 77494-4318	Please Direct Any Questions To Online Bill Payment Processing Center (800) 243-2508
MEMO: 27005 Hoyt Ln, Katy Prop Tax	0000995457
	February 01, 2017
Pay ELEVEN THOUSAND TWO HUNDRED FIFTEEN AND 73/100	DOLLARS
	\$ ****11,215.73
TO FORT BEND COUNTY TAX ASSESSOR	FEB 03 2017
THE 1317 EUGENE HEIMANN CIR	TAX
ORDER RICHMOND, TX 77469-3623	
OF	
Void After 180 DAYS Signature On File This check has been authorized by your depositor	

995457 2/7/2017 8:50:34 AM 11215.73

DUPLICATE TAX RECEIPT



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

Certified Owner:

HOFFMAN PATRICK R
27005 HOYT LN
KATY, TX 77494-4318

Legal Description:

0383 JESSE BURDETT, ACRES 1.4807,
LEXINGTON ESTATES, LOT 11

Parcel Address: 27005 HOYT LN

Legal Acres: 1.4807

Remit Seq No: 34760556

Receipt Date: 02/06/2017

Deposit Date: 02/07/2017

Print Date: 04/06/2017 11:40 AM

Printed By: CANDACEC

Deposit No: J170207AW5

Validation No: 1

Account No: 0383-00-003-0011-914

Operator Code: JONES

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2016	Katy Isd	TL	562,320	1.516600	7,970.23	557.92	0.00	8,528.15
2016	Fort Bend Esd#2	TL	469,856	0.098000	430.34	30.12	0.00	460.46
2016	Fort Bend Co Drainage	TL	469,856	0.016000	70.26	4.92	0.00	75.18
2016	Fort Bend Co Gen Fnd	TL	469,856	0.458000	2,011.16	140.78	0.00	2,151.94
					\$10,481.99	\$733.74	\$0.00	\$11,215.73

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Check Number(s):

995457

PAYMENT TYPE:

Checks: \$11,215.73

Exemptions on this property:

CAPPED
HOMESTEAD

Total Applied: \$11,215.73

Change Paid: \$0.00

PAYER:
HOFFMAN PATRICK R
27005 HOYT LN
KATY, TX 77494-4318

ACCOUNT PAID IN FULL

(281) 341-3710

DUPLICATE TAX RECEIPT



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

Certified Owner:

HOFFMAN PATRICK R
27005 HOYT LN
KATY, TX 77494-4318

Legal Description:

0383 JESSE BURDETT, ACRES 1.4807,
LEXINGTON ESTATES, LOT 11

Parcel Address: 27005 HOYT LN

Legal Acres: 1.4807

Remit Seq No: 35156958

Receipt Date: 03/27/2017

Deposit Date: 03/30/2017

Print Date: 04/06/2017 11:40 AM

Printed By: CANDACEC

Deposit No: O170330C1
Validation No: 900000049521504

Account No: **0383-00-003-0011-914**

Operator Code: ASHLEYR

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2016	Katy Isd	TL	562,320	1.516600	557.92	50.21	0.00	608.13
2016	Fort Bend Esd#2	TL	469,856	0.098000	30.12	2.71	0.00	32.83
2016	Fort Bend Co Drainage	TL	469,856	0.016000	4.92	0.44	0.00	5.36
2016	Fort Bend Co Gen Fnd	TL	469,856	0.458000	140.78	12.67	0.00	153.45
					<u>\$733.74</u>	<u>\$66.03</u>	<u>\$0.00</u>	<u>\$799.77</u>

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Check Number(s):

1012

PAYMENT TYPE:

Checks:

\$799.77

Exemptions on this property:

CAPPED
HOMESTEAD

Total Applied: \$799.77

Change Paid: \$0.00

PAYER:
HOFFMAN PATRICK R
27005 HOYT LN
KATY, TX 77494-4318

ACCOUNT PAID IN FULL

(281) 341-3710