



COUNTY JUDGE

Fort Bend County, Texas

The Honorable KP George
County Judge

May 31, 2019

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

Richard Paul Martinez
4575 Sheraton Cir.
Brookshire, TX 77423

Reference: Account Number: 6520-00-000-0740-901
Tax Year 2018, Precinct 3

Dear Mr. Martinez:

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 Lamar Consolidated Independent School District and Fort Bend Emergency Services District #4 which represents a total amount of \$838.34 for penalties assessed on the referenced account for tax year 2018. 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, June 11, 2019 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 June 11, 2019, 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,

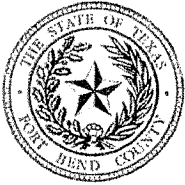
A handwritten signature in black ink, appearing to read "KP George", is written over a horizontal line.

KP George

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

Carrie Surratt, PCC, CTOP
County Tax Assessor/Collector
1317 Eugene Heimann Circle
Richmond TX 77469-3623

County Judge
Received

MAY 24 2019

(281) 341-3710
Fax (832) 471-1836
Email: carrie.surratt@fortbendcountytexas.gov
www.fortbendcountytexas.gov

DATE: May 23, 2019

TO: County Judge KP George
Commissioner Vincent Morales
Commissioner Grady Prestage
Commissioner Andy Meyers
Commissioner Ken R DeMerchant
County Attorney Roy Cordes

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

Re: Waiver of Penalty and Interest – Richard Paul Martinez: Account # 6520-00-000-0740-901, 2018 Tax Year; Legal Description: Pecan Hill, Lot 74 (PT), Acres 5.014; Mailing address: 4575 Sheraton Cir, Brookshire, TX 77423

Precinct 3

Richard Paul Martinez is requesting a waiver of penalty and interest for the 2018 tax year, stating he inadvertently sent his payment to Patrick O'Connor and Associates instead of to Patsy Schultz Fort Bend County Tax Assessor.

Tax Office records and research indicate:

- November 2, 2018 – 2018 Certified Tax Statement was mailed to Richard Paul Martinez, 4575 Sheraton Cir, Brookshire, TX 77423-9228. **This statement was not returned by the Post Office.**
- February 13, 2019 – 2018 Reminder Statement was mailed to Richard Paul Martinez, 4575 Sheraton Cir, and Brookshire, TX 77423-9228. **This statement was not returned by the Post Office.**
- March 31, 2019 – The Fort Bend County Tax Office received payment of \$10,153.26 (includes March Penalty and Interest).

- There is no evidence of an error by the Fort Bend County Tax Office or the Fort Bend Central Appraisal District.
- Lamar Consolidated Independent School District and Fort Bend ESD #4 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 6520-00-000-0740-901:

2018 Tax Year

Tax Unit	Base	Penalty & Interest	Total Waiver Request
Lamar CISD	\$6,868.69	\$618.18	\$618.18
Fort Bend ESD #4	\$519.15	\$46.72	\$46.72
FBC	\$1,927.08	\$173.44	\$173.44
Total	\$9,314.92	\$838.34	\$838.34

Total Penalty and Interest: \$838.34

I **do not** recommend waiver of penalty and interest for **2018**. Per 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
RECEIVED
APR 04 2019

Richard Paul Martinez
4575 Sheraton Circle
Brookshire, Tx. 77423
March 27, 2019

KP George
County Judge
Fort Bend County
401 Jackson
Richmond, Tx. 77469-3110

Dear KP George:

I am requesting a waiver of penalty and interest of my 2018 property taxes per section 33.011 of the Texas Property Tax Code. I have paid property taxes on my property since 1997 and have been a resident of Fort Bend County since 2005.

The legal description of my property is listed as Pecan Hill, Lot 74 (PT), Acres 5.014. My current mailing address is 4575 Sheraton Circle Brookshire, Tx. 77423. My cellular phone number is

I inadvertently sent my 2018 tax payment of \$9,314.92 to Patrick O'Connor and Associates instead of Patsy Schultz Fort Bend County Tax Assessor. This error was due to my entering the bill pay information on the wrong line in my on-line payment file. The payment cleared my bank (Houston Police Credit Union) on December 24, 2018. I have included a print out of my bank statement, which includes the payment made to O'Connor and Associates for your review.

On March 25, 2019 I received an advertisement from a company offering to assist me with paying my property taxes. I thought this was odd since I had made the payment in December of 2018. Nonetheless I checked the Fort Bend County records and learned my payment had not been received. I checked my bank account and learned I had sent the payment to O'Connor and Associates by mistake.

I called O'Connor and Associates on March 25, 2019 and spoke with Jennifer Valencia who said I had a credit of \$9,314.92. I explained the situation to her, and she began the process of having a refund check mailed to me. She emailed the invoice to me showing a previous payment for services rendered as well as the over payment. I have included this document with my request for your review.

KP George
March 27, 2019
Page 2

I called the Fort Bend County Tax Assessors office on March 25, 2019 and spoke with Soledad Fuentes-De Los Santos and explained the situation to her. She told me I would have to make a request in writing to your office. She went on to say the Commissioners Court would review my request and make a final judgement. She emailed me the instructions for requesting a waiver of penalty and interest. She also said I would have to have my taxes paid in full prior to my request.

I made a payment request of \$10,153.26 through my bill pay service on March 25, 2019 to Patsy Schultz, Fort Bend County Tax Assessor. The payment date after processing was scheduled for March 28, 2019.

I have paid my property taxes electronically for years using the bill pay feature with the Houston Police Credit Union. I feel I have proven I attempted to pay my 2018 property tax bill in December of 2018 in good faith even though I was responsible for the error of sending the payment to the wrong recipient. As soon as I was aware my taxes had not been paid, I immediately investigated the situation and sent a second payment to the correct recipient along with any penalties and interest to show my account is paid in full.

I have included pages from the Texas Tax Code 33.011-Waiver of Penalties and Interest that I discovered on the internet. I highlighted the sections that I believe pertain to my situation.

Sincerely,

Richard Paul Martinez



Invoice

Printed Date: 3/25/2019

Invoice Summary

Richard P Martinez
4575 Sheraton Cir
Brookshire, Texas 77423-9228

Client #
Invoice type Standard
Tax year 2018
Payment is due upon receipt

Description

Estimated Tax Savings

Total Initial Assessed Value	\$568,310.00
Total Final Assessed Value	\$519,150.00
Reduction	<u>\$49,160.00</u>
Estimated Tax Savings	\$963.07

Invoice amount due

x Contingency %	50.0%
= Contingency fee	\$481.53
+ Flat fee	\$0.00
= Invoice amount	\$481.53
- Amount paid	\$9,794.79
- Amount adjusted	\$1.66
+ Applicable interest	\$1.66
- Interest paid	\$1.66
- Interest adjusted	\$0.00
= Amount due	-\$9,314.92

In accordance with the terms of your service agreement, payment in full for our services is due within thirty (30) days of the initial invoice. You have agreed to pay interest beginning thirty days after the invoice date. Interest will be added to the unpaid balance at a rate equal to 18.00 % per annum, compounded annually, but not to exceed the maximum rate allowable under Texas or applicable law.

Should this invoice be for a Residential Homestead Property with an over-65 exemption, you may be entitled to an adjustment. If your contingency fee as stated above is NOT already 25%, contact our Customer Service Department.

Client no.	Invoice no.	Original Invoice date	Amount due	If Paid before
		07/10/2018	-\$9,314.92	08/09/2018

If paying by credit card, fill out section below:

☐ Visa ☐ MasterCard ☐ American Express ☐ Discover

Credit Card #: _____ Exp. Date: ____ / ____

CVC: _____

Printed Name: _____

Billing Address: _____

Signature Authorization: _____

Visit www.cutmytaxes.com for online payment

Or

Send Payments To:

O'Connor & Associates
2200 North Loop West, Suite 200
Houston, TX 77018

Secure Email: payments@poconnor.com

Secure Fax: (713) 457-2957

Billing Questions? Call our Customer Service Department at (713) 375-4399.

LIVE CHAT Assistance Now Available: Visit us online at www.cutmytaxes.com and click on Live Support to chat with Customer Service Representative.



Invoice

Printed Date: 3/25/2019

Invoice Statement

2009-18699

Richard P Martinez
4575 Sheraton Cir
Brookshire, Texas 77423-9228

County	Account no.	Property address	Invoice Amount	Noticed Value	- Final Value	= Reduction	x Prev Year's Tax Rate	= Estimated Savings
FBCAD		4575 Sheraton Cir	481.54	\$568,310.00	\$519,150.00	\$49,160.00	0.01959050	\$963.07

Total Estimated Tax Savings	\$963.07
x Contingency %	50.0%
= Contingency fee	\$481.53
+ Flat fee	\$0.00
= Invoice amount	\$481.53
- Amount paid	\$9,794.79
- Amount adjusted	\$1.66
+ Interest	\$1.66
- Interest paid	\$1.66
- Interest adjusted	\$0.00
= Amount due	-\$9,314.92

Billing Questions? Call our Customer Service Department at (713) 375-4399.

LIVE CHAT Assistance Now Available: Visit us online at www.cutmytaxes.com and click on Live Support to chat with Customer Service Representative.

THANKS FOR YOUR BUSINESS!

DELINQUENT TAX STATEMENT DETAIL



PATSY SCHULTZ, PCC
FORT BEND COUNTY TAX ASSESSOR/ COLLECTOR
1317 EUGENE HEIMANN CIRCLE
RICHMOND, TEXAS 77469-3623
(281) 341-3710

Mail To:
MARTINEZ RICHARD PAUL
4575 SHERATON CIR
BROOKSHIRE, TX 77423-9228

Legal Description:
PECAN HILL, LOT 74 (PT), ACRES 5.014

Account No: 6520-00-000-0740-901 **2018 Value: \$519,150** **Legal Acres: 5.0140**
As of Date: 03/25/2019 **Appr. Dist. No.: R108858** **Parcel Address: 4575 SHERATON CIR**
Print Date: 03/25/2019 **Printed By: SOLEDADF**

Year	Rec Type	Receipt	Tax Units	Delinq. Date MM/YY	Remaining Levy	IF PAID BY March 31, 2019		IF PAID BY April 30, 2019		IF PAID BY May 31, 2019	
						Penalty Interest	Total	Penalty Interest	Total	Penalty Interest	Total
2018	TL	1	36	02/19	\$6,868.69	\$618.18	\$7,486.87	\$755.56	\$7,624.25	\$892.93	\$7,761.62
	TL	1	38	02/19	\$519.15	\$46.72	\$565.87	\$57.11	\$576.26	\$67.49	\$586.64
	TL	1	78	02/19	\$78.91	\$7.10	\$86.01	\$8.68	\$87.59	\$10.26	\$89.17
	TL	1	79	02/19	\$1,848.17	\$166.34	\$2,014.51	\$203.30	\$2,051.47	\$240.26	\$2,088.43
Subtotals for 2018:					\$9,314.92	\$838.34	\$10,153.26	\$1,024.65	\$10,339.57	\$1,210.94	\$10,525.86
TOTAL AMOUNT DUE:					\$9,314.92	\$838.34	\$10,153.26	\$1,024.65	\$10,339.57	\$1,210.94	\$10,525.86

Tax Unit Codes:

36 LAMAR C I S D- OPERATING FUND 38 FORT BEND ESD#4 78 FORT BEND CO DRAINAGE 79 FORT BEND CO GEN FND

TO PAY BY CREDIT CARD VISIT WWW.FORTBENDCOUNTYTX.GOV

CREDIT CARD PAYMENTS ARE CHARGED 2.4% CONVENIENCE FEE PER ACCOUNT BY GOV PAY. NO FEE CHARGED FOR E-CHECK.

IF THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE TAX COLLECTOR FOR THE FORT BEND COUNTY TAX OFFICE REGARDING A RIGHT YOU MAY HAVE TO ENTER INTO AN INSTALLMENT AGREEMENT DIRECTLY WITH THE TAX COLLECTOR FOR THE FORT BEND COUNTY TAX OFFICE FOR THE PAYMENT OF THESE TAXES.

THE TAXES ON THIS PROPERTY ARE DELINQUENT. THE PROPERTY IS SUBJECT TO A LIEN FOR THE DELINQUENT TAXES. IF THE DELINQUENT TAXES ARE NOT PAID, THE LIEN MAY BE FORECLOSED.

Print Date: 03/25/2019

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



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

Appr. Dist. No.: R108858

PATSY SCHULTZ, PCC
FORT BEND COUNTY TAX ASSESSOR/COLLECTOR
1317 EUGENE HEIMANN CIRCLE
RICHMOND, TEXAS 77469-3623
(281) 341-3710



* 6 5 2 0 0 0 0 0 0 7 4 0 9 0 1 *

6520-00-000-0740-901

MARTINEZ RICHARD PAUL
4575 SHERATON CIR
BROOKSHIRE, TX 77423-9228

If Paid By	Amount Due
March 31, 2019	\$10,153.26
April 30, 2019	\$10,339.57
May 31, 2019	\$10,525.86
Amount Paid: \$	

000000R108858 047 0001015326 0001033957 0001052586 0000000000 9

DUPLICATE TAX RECEIPT



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

Certified Owner:

MARTINEZ RICHARD PAUL
4575 SHERATON CIR
BROOKSHIRE, TX 77423-9228

Legal Description:

PECAN HILL, LOT 74 (PT), ACRES 5.014

Parcel Address: 4575 SHERATON CIR
Legal Acres: 5.0140

Remit Seq No: 41082866

Receipt Date: 03/31/2019

Deposit Date: 04/08/2019

Print Date: 04/24/2019 02:12 PM

Printed By: RAQUELA

Deposit No: J190408AW11

Validation No: 24

Account No: 6520-00-000-0740-901

Operator Code: DJONES

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2018	Lamar C I S D- Operating Fund	TL	494,150	1.390000	6,868.69	618.18	0.00	7,486.87
2018	Fort Bend Esd#4	TL	519,150	0.100000	519.15	46.72	0.00	565.87
2018	Fort Bend Co Drainage	TL	415,320	0.019000	78.91	7.10	0.00	86.01
2018	Fort Bend Co Gen Fnd	TL	415,320	0.445000	1,848.17	166.34	0.00	2,014.51
					\$9,314.92	\$838.34	\$0.00	\$10,153.26

Check Number(s):

995769

PAYMENT TYPE:

Checks: \$10,153.26

Exemptions on this property:

HOMESTEAD

Total Applied: \$10,153.26

Change Paid: \$0.00

PAYER:

MARTINEZ RICHARD PAUL
4575 SHERATON CIR
BROOKSHIRE, TX 77423-9228

ACCOUNT PAID IN FULL

(281) 341-3710

Page 1 of 1
21.1.200