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FORT BEND COUNTY FY 2009
COMMISSIONERS COURT AGENDA REQUEST FORM
 RETURN TO: AGENDA COORD-COUNTY JUDGE'S OFFICE

DATE SUBMITTED: March 31, 2009

 SUBMITTED BY: Patsy Schultz
 DEPARTMENT: Tax Assessor /Collector
 PHONE NO.: 281-341-3735

AGENDA DATE: April 28, 2009

SUMMARY OF ITEM: Waiver of Penalty & Interest & Attorney Fees; Nguyen Diep T; Acct# 7550-28-001-0280-910; Tax Year 2008; Precinct # 3

RENEWAL CONTRACT/AGREEMENT: Yes () No ()

REVIEWED BY COUNTY ATTORNEY'S OFFICE YES () NO ()

 LIST SUPPORTING DOCUMENTS ATTACHED: 1. Request for Waiver
 2. Recommendation from the Tax Collector
 3. Tax Receipt
FINANCIAL SUMMARY:BUDGETED ITEM: YES NO

FUNDING SOURCE: FUND: _____ AGENCY _____ ORGANIZATION: _____ OBJECT: _____

REQUIRES AUDITOR TO CERTIFY FUNDS: YES NO

Original Form Submitted with back up to County Judge's Office: Yes (x)

If by E-Mail to ospindon@co.fortbend.tx.us

If by Fax to 281-341-8609

Distribute copies with back-up to all listed below. If by Fax, send to numbers below

yes (x) Auditor	(281-341-3774)	yes (x) Comm. Pct. 1	(281-342-0587)
yes (x) Budget Officer	(281-344-3954)	yes (x) Comm. Pct. 2	(281-403-8009)
yes (x) County Attorney	(281-341-4557)	yes (x) Comm. Pct. 3	(281-242-9060)
yes () Purchasing Agent	(281-341-8642)	yes (x) Comm. Pct. 4	(281-980-9077)
yes (x) County Clerk	(281-341-8697)	yes () Facilities/Planning	(281-633-7022)

Instructions for submitting an Agenda Request:

1. Completely fill out agenda form, incomplete forms will not be processed.
2. Fax or inter-office copies of agenda form with all back up information by Wednesday at 2:00 p.m. to the departments listed above.
3. All original back-up must be received in the County Judges Office by 2:00 p.m. on Wednesday.

RECOMMENDATION / ACTION REQUESTED:

Tax Assessor Collector Patsy Schultz
 I do not recommend waiver of penalty and interest & Attorney Fees

AS PER ORIGINAL



COUNTY TAX ASSESSOR / COLLECTOR

Fort Bend County, Texas

Patsy Schultz, RTA
County Tax Assessor/Collector
500 Liberty Street, Suite 101
Richmond, TX 77469

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

DATE:

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

FROM: Patsy Schultz, RTA *PS*
Tax Assessor/Collector

RE: Waiver of Penalty and Interest - Nguyen Diep T: Acct#7550-28-001-0280-910
2008 Tax Year; Legal Description: Sugar Creek Sec 28 Block 1. I. of 28;
Precinct 3

Ms. Nguyen is requesting waiver of penalty and interest on the above referenced account for the 2008 tax year because she states that she never received the 2008 Original Tax Statement.

Tax Office records indicate:

- Original deed #2002125806 was recorded on November 15, 2002 with the owner listed as Diep Thi Thanh Nguyen, 3315 North Sutton Square, Stafford, TX 77477-4722.
- October 31, 2007—2007 Original Tax Statement was mailed to Nguyen Diep T, 3315 N Sutton Sq, Stafford, TX 77477-4722. **Original statement was not returned by Post Office.**
- 2008 tax roll list the owner as Nguyen, Diep T, 3315 N Sutton Sq, Stafford, TX 77477-4722.
- February 4, 2009—Ft Bend County Tax Clerks received phone calls from Ms. Nguyen stating she did not receive 2008 tax statement. She wanted to file a waiver because she stated she never received her 2008 tax statement. Clerk mailed 2008 tax statement and waiver instructions and also faxed (713-948-1924) statement to her.
- There is no evidence of an error by the Ft Bend Central Appraisal District or the Ft Bend County Tax Office.
- Ft Bend WCID #2, Houston Community College -- Stafford, Stafford MSD and City of Stafford has 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:

2008 Tax Year	FBC	FBWCID #2	HCC-Stafford	Stafford MSD	City of Stafford	Total
Base Tax	\$226.13	\$ 254.81	\$ 67.85	\$ 1,350.10	-0-	\$ 1,898.89
Penalty & Interest	15.83	17.84	4.75	94.51	-0-	132.93
Total	\$241.96	\$ 272.65	\$ 72.60	\$ 1,444.61	-0-	\$ 2,031.82

Total Penalty & Interest: \$ 132.93

AS PER ORIGINAL

I do not recommend waiver of penalty and interest. There is no evidence of an error by the Central Appraisal District or the Fort Bend County Tax Office. Property Tax Code Section 33.011 (a) (1). "The governing body of a taxing unit shall waive penalties and interest 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..."

AS PER ORIGINAL

DUPLICATE TAX RECEIPT



PATSY SCHULTZ, RTA
FORT BEND COUNTY TAX ASSESSOR/ COLLECTOR
500 LIBERTY STREET SUITE 101
RICHMOND, TEXAS 77469-3500
(281) 341-3710

Certified Owner:

NGUYEN DIEP T
3315 N SUTTON SQ
STAFFORD, TX 77477-4722

Legal Description:

SUGAR CREEK SEC 28 BLOCK 1 LOT 28

Parcel Address: 3315 N SUTTON SQUARE
Legal Accts: 0.0000

Remit Seq No: 13755922
Receipt Date: 02/10/2009
Deposit Date: 02/12/2009
Print Date: 03/25/2009

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Deposit No: 09021211
Validation No: 900000016462791
Account No: 7550-28-001-0280-910
Operator Code: LAURAL

Table with 7 columns: Year, Tax Unit Name, Tax Value, Tax Rate, Levy Paid, P&I, Atty Paid, Total. Rows include Fort Bend Weid#2, Houston Comm College Sifid, Stafford Mad, Fort Bend Co Drainage, Fort Bend Co Gen Pnd.

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Check Number(s):
7580

PAYMENT TYPE:

Check: \$2,031.82

Exemptions on this property:

OVER 65
HOMESTEAD

Total Applied: \$2,031.82

Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER:

DIEP THANH-THI NGUYEN
MINH QUANG HO
3315 N SUTTON SQUARE
STAFFORD, TX 77477

(281) 341-3710

AS PER ORIGINAL

3315 North Sutton Square
Stafford, Texas 77477
March 12, 2009

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

Dear The Honorable Judge Hebert,

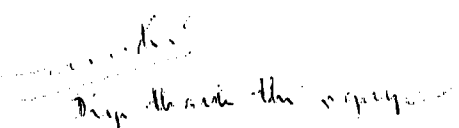
At sixty-five years of age, I'm still working to provide health insurance for my husband who has diabetes and congestive heart failure. Our records will verify that we've always paid the taxes on our homestead on time and in full.

For the year 2008, we didn't realize that the statement hadn't been received until the deadline on Saturday, January 31, 2009. I immediately called Ms. Patsy Schultz on Monday, February 2 to have the statement sent then paid the balance promptly.

Because of the delay in receiving the statement, because of our good records in making payments on time in previous years, and because we need to save our limited financial resources for medication and other necessities, we're asking for a waiver of the penalty and interest of \$132.93. Would you consider doing so for us, please?

Thank you in advance for your time and understanding. We hope to receive your approval of this request.

Sincerely yours,


Diep Thanh-Thi Nguyen
Account # 7550-28-001-0280-910
(713) 948-1958 office
(281) 798-9918 cell