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

DATE SUBMITTED: May 8, 2009

SUBMITTED BY: Patsy Schultz

AGENDA DATE: May 26, 2009

DEPARTMENT: Tax Assessor /Collector

PHONE NO.: 281-341-3735

**SUMMARY OF ITEM:** Waiver of Penalty & Interest & Attorney Fees; Sever N Zagral & Marina; Acct # 2990-01-001-0370-901; Tax Year 2008; Precinct # 1

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](mailto: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

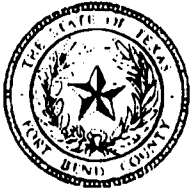
yes ( x ) Auditor	(281-341-3774)	yes ( x ) Comm. Pct. 1	(281-342-0587)
yes ( x ) Budget Officer	(281-344-3954)	yes ( x ) Comm. Pct. 2	(281-403-8009)
yes ( x ) County Attorney	(281-341-4557)	yes ( x ) Comm. Pct. 3	(281-242-9060)
yes ( ) Purchasing Agent	(281-341-8642)	yes ( x ) Comm. Pct. 4	(281-980-9077)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



## COUNTY TAX ASSESSOR / COLLECTOR

Fort Bend County, Texas

Patsy Schultz, RTA  
 County Tax Assessor/Collector  
 1317 Ransom Road  
 Richmond, TX 77469

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

DATE: April 28, 2009

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  
 Tax Assessor/Collector

RE: Waiver of Penalty and Interest - Zagrai, Sever N & Marina: Acct#2990-01-001-0370-901;  
 2008 Tax Year; Legal Description: Greatwood Arbor Sec 1, Block 1, Lot 37;  
 Precinct 1

Mr. Zagrai is requesting waiver of penalty and interest on the above referenced account for the 2008 tax year because he states that he never received the 2008 tax statement.

Tax Office records indicate:

- Original deed #2008054868 was recorded on May 21, 2008 with the owner listed as Sever N. Zagrai and spouse. Marina Zagrai, 1910 Park Hollow, Sugar Land, TX 77479.
- November 5, 2008 - 2008 Original Tax Statement was mailed to Zagrai Sever N & Marina, 1910 Park Holw, Sugar Land, TX 77479-6377. Post office returned - Unable to forward, Vacant. (copy of envelope).
- 2008 tax roll list the owner as Zagrai Sever N & Marina, 1910 Park Holw, Sugar Land, TX 77479-6377.
- There is no evidence of an error by the Ft Bend Central Appraisal District or the Ft Bend County Tax Office.
- Lamar CISD 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.

AS PER ORIGINAL

**Breakdown of Taxes Paid:**

<b>2008 Tax Year</b>	<b>LCISD</b>	<b>FBC</b>	<b>Total</b>
Base Tax	\$3,361.82	\$1,095.75	\$4,457.57
Penalty & Interest	<u>302.56</u>	<u>98.62</u>	<u>401.18</u>
Total	\$3,664.38	\$1,194.37	\$4,858.75

**Total Penalty & Interest: \$ 401.18**

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..."

DUPLICATE TAX RECEIPT



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

Certified Owner:

ZAGRAI SEVER N & MARINA  
1910 PARK HOLW  
SUGAR LAND, TX 77479-6377

Legal Description:

GREATWOOD ARBOR SEC 1, BLOCK 1, LOT 37

Parcel Address: 1910 PARK HOLW  
Legal Acres: 0.0000

Result Seq No: 13878187  
Receipt Date: 03/07/2009  
Deposit Date: 03/10/2009  
Print Date: 04/08/2009

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Deposit No: 090310AB2  
Validation No: 9000000116682816  
Account No: 2990-01-001-0370-901  
Operator Code: ARLACHA

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Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Atty Paid	Total
2008	Tamar C I S D- Operating Fund	39,070	1.297650	3,361.82	302.56	0.00	3,664.38
2008	Fort Bend Co Drainage	19,256	0.016000	35.08	3.16	0.00	38.24
2008	Fort Bend Co Gen Fnd	19,256	0.483760	1,060.67	95.46	0.00	1,156.13
				<b>\$4,457.57</b>	<b>\$401.18</b>	<b>\$0.00</b>	<b>\$4,858.75</b>

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Check Number(s):  
5599

PAYMENT TYPE:

Checks: \$4,858.75

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Exemptions on this property:

CAPPED  
HOMESTRAD

Total Applied: \$4,858.75

Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER:

SEVER N ZAGRAI  
MARINA M ZAGRAI  
8309 WEDNESBURY LN  
HOUSTON, TX 77074

(281) 341-3710

AS PER ORIGINAL

Owner: Zagrai Sever N. & Marina M.

Account No.: 2990-01-001-0370-901

Legal Description: Greatwood Arbor Sec 1, Block 1, Lot 37

Year in Question: 2008

Current Mailing Address: 1910 Park Hollow, Sugar Land, Texas 77479-6377

Phone No.: 832 875 5572

To: Judge Robert E. Hebert, Fort Bend County, Texas

Your Honor,

We have been charged \$401.18 penalty and interest for not paying the property tax by the due date. Tax had not been paid due to original tax statement/bill having been returned by the US Post Office to tax assessor/collector's office as undeliverable although we had occupied the residency continuously since May 20, 2008.

By means of this letter we request to be placed on Commissioner's Court agenda in order to present our case.

Thank you,

Sever N. Zagrai

