

COUNTY TAX ASSESSOR / COLLECTOR

Fort Bend County, Texas




Carmen P. Turner, MPA
County Tax Assessor/Collector
1317 Eugene Heimann Circle
Richmond, TX 77469-3623

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

DATE: August 4, 2021

TO: County Judge KP George
Commissioner Vincent Morales
Commissioner Grady Prestage
Commissioner Andy Meyers
Commissioner Ken R. DeMerchant
County Attorney Bridgette Smith-Lawson

FROM: Amber De Spain 
Chief of Property Taxes

Re: Waiver of Penalty and Interest – Monte and Kathy Hambleton: Account # 9525-01-003-0380-907;
2019 Tax Year; Legal Description: Williams Grant Sec 1, Block 3, Lot 38; Situs: 2519 Water Rest Dr.
Sugarland, TX 77479-1310.

Precinct 4

Monte and Kathy Hambleton, are requesting waiver of penalty and interest for the 2019 tax year based on Property Tax Code Section 33.011 (j). Mr. Hambleton stated he mailed the payment on time and was later notified by his bank that someone was attempting to cash his stolen check written to Montgomery County Tax Office. He also stated that payments to Walker County and Fort Bend County had also been stolen and was being investigated by the Sugarland Post Office, Andres Postal Inspector.

Tax Office records and research indicate:

- February 24, 2020 – 2019 Reminder Notice was mailed to: Hambleton Monte J & Kathleen R, 2519 Water Rest Dr., Sugarland, TX 77479-1310. **This statement was not returned by the Post Office.**
- February 29, 2020 – Received two e-check payments totaling \$5,858.58 from Monte Hambleton, which included February penalty and interest, paying the account in full.

- March 2, 2020 – Monte contacted the tax office requesting to waive penalty and interest due to fraud. He was provided with online waiver instructions.
- March 2, 2020 – County Judge received emailed request for waiver of penalty and interest for the 2019 Property Taxes.
- Ft. Bend ISD and City Of Sugarland have authorized Fort Bend County Tax Office to handle the processing of the waiver of penalty and interest and allow the Fort Bend County Commissioner's Court to make the determination based on Section 33.011 of the Texas Property Tax Code.

Summary of Taxes Paid:

Account 9525-01-003-0380-907:

2019 Tax Year

Tax Unit	Base	Penalty & Interest	Total Waiver Request
Ft Bend ISD	\$3,494.02	\$244.58	\$244.58
City of Sugarland	\$876.83	\$61.39	\$61.39
FBC	\$1,104.44	\$77.32	\$77.32
Total	\$5,475.29	\$383.29	\$383.29

Total Penalty and Interest: \$383.29

I do recommend waiver of penalty and interest for **2019** Tax Year.

- **Taxpayer has provided sufficient evidence to support that he attempted to mail in his payment.**
- Per Property Tax Code Section 33.011 (j)(1): The governing body of a taxing unit may waive penalties and interest on a delinquent tax if the taxpayer submits evidence sufficient to show that the taxpayer delivered payment for the tax before the delinquency date to:
 - (1) the United States Postal Service for delivery by mail, but an act or omission of the postal service resulted in the taxpayer's payment being postmarked after the delinquency date; or
 - (2) a private delivery service for delivery, but an act or omission of the private carrier resulted in the taxpayer's payment being received by the taxing unit after the delinquency date.
- **There is evidence to cause the Tax Office to recommend waiver of penalty and interest.**

Request for Waiver of Penalties and Interest

Request Date: 3/1/2020

ACCOUNT INFORMATION

Property Account Number: 9525-01-003-0380-907

Legal Description of Property: Williams Grant Sec 1 block 3 lot 38

Year(s) for which requesting waiver: 2019

Taxpayer Name: monte and Kathy Hambleton

Current Mailing Address: 2519 water rest drive

Current Daytime Phone Number: 713-385-3839

Current Email Address: monte.hambleton@gmail.com

BASIS FOR WAIVER REQUEST

Texas Property Tax Code Section 33.011 allows a taxing unit to waive penalties and interest in limited, defined circumstances. **PLEASE READ THE "INFORMATION REGARDING REQUESTS FOR WAIVER/REFUND OF PENALTIES AND INTEREST" SHEET BEFORE COMPLETING THIS FORM, AS DESCRIPTIONS BELOW ARE SIMPLIFIED EXPLANATIONS.**

☒ I confirm that I have read "Information Regarding Requests for Waiver/Refund of Penalties and Interest"

Please check the appropriate box that describes your situation.

☐ **Tax Office or Appraisal District Error** [Section 33.011(a)(1)]: An act or omission of an officer, employee, or agent of the taxing unit of the appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before the delinquency date.

☐ **Tax Statement is Returned Undeliverable** [Section 33.011(b)]: A tax statement was returned undeliverable to the tax office, the tax office did not send another tax statement at least 21 days before the delinquency date, and the returned tax statement was due to an act or omission of an officer, employee, or agent of the tax office.

☐ **Electronic Payment Error** [Section 33.011(h)]: The taxpayer submits sufficient evidence showing they attempted to pay the original tax amount electronically in the proper manner before the delinquency date, that failure to pay was caused by an error in the transmissions of the funds.

☐ **Payment Mailed to an Incorrect Address** [Section 33.011(a)(3)]: The taxpayer submits sufficient evidence showing payment was timely mailed to an incorrect address that would have been correct in a prior tax year AND would have been correct within one year of the date the payment was mailed.

☒ **Mail or Private Carrier Error** [Section 33.011(j)]: The taxpayer submits sufficient evidence showing payment was timely mailed, but that an act or omission of the postal service or private carrier resulted in postmark or delivery being after the delinquency date.

☐ **Mortgage Company Error** (Section 33.011(k)): The taxpayer submits sufficient evidence showing that the property is not subject to an escrow account with the mortgage company, the tax bill was sent to the mortgage company, and the mortgage company failed to forward the tax bill to the owner.

☐ **Religious Organization** (Section 33.011(a)(2)): The property for which the tax is owed was acquired by a religious organization and before the first anniversary of the date the religious organization acquired the property, the organization paid the tax and qualified the property for the exemption.

☐ **Property was Omitted, Erroneously Exempted, Value Added, or Added Under a Different Account Number** (Section 33.011(i)): If the delinquency relates to a date prior to ownership of the property AND the delinquency is a result of omitted property later added to the appraisal roll, the property was erroneously exempted, the property had appraised value added, or if the property was added under a different account number when the prior owner owned the property.

Please attach all supporting documentation to this request for waiver of penalties and interest form. The Waiver Committee will only review documentation and evidence provided AT THE TIME OF THE REQUEST. Any documentation or evidence not provided with the request will not be considered in your waiver determination.

Requests must be received before the 181st day after the delinquency date AND include sufficient evidence to substantiate the reason for waiver of penalties and interest.

Financial hardship is not a legal basis for waiver of penalties and interest.

Email all requests and supporting documentation to fbj.judge@fortbendcountytexas.gov or mail or hand deliver to: Fort Bend County Judge
401 Jackson St
Richmond TX 77469-3110

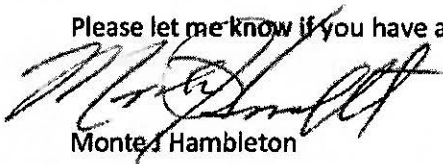
Contact the Tax Office at 281-341-3710 with any questions.

u.s.p.
Post Master General
Case # 07128517

To whom it may concern.

I mailed all of my property tax payments on or about 12/30/2019. I received a call from the bank that someone attempted to cash my check written to Tammy McCrea in Montgomery county. She filed a complaint with the district attorney's office and I have been in contact with Detective Neely with the Montgomery Sheriffs office in which they have caught one individual and have warrants out for three others. I was notified that my payments to Walker county and Fort Bend county have also been stolen. I have spoken to Officer M. Canales from the Sugar Land PD to report the loss of these checks. To date none of the checks that I wrote have been cashed. I am writing in regards to waiving the penalty and fees associated with my account. A review of my payment history over the last 23 years will show that I have never paid my taxes late and that this was beyond my control. I have already paid the taxes without penalty by E-check.

Please let me know if you have any questions

A handwritten signature in black ink, appearing to read 'Monte J. Hambleton', is written over the printed name.

Monte J. Hambleton

AFFIDAVIT OF Monte J. Hambleton
(name of taxpayers)

STATE OF TEXAS X

COUNTY OF FORT BEND X

Before me, the undersigned notary, on this day personally appeared Monte J. Hambleton, and upon being duly sworn by me, deposes and says:

1. My name is Monte Hambleton. I am over the age of 18, of sound mind, and capable of making this affidavit. I have personal knowledge of the facts herein and they are true and correct. If called as a witness, I could testify completely thereto.
2. I am the record owner of a tract of real property described in the Fort Bend Central Appraisal District appraisal roll and Fort Bend County Tax Office tax roll as:
2519 Water Rest
Sugar Land
Account No. 925-9325-01-003-0380-907 (the "Subject Property").
3. I paid the 20²⁰ tax year property taxes on the Subject Property by preparing personal check # 7135 dated 12/29/2019 in the amount of \$ 5475.29 (the "Tax Check") made payable to the Fort Bend County Tax Assessor-Collector.
4. On the 29 day of December, 2019, I deposited the Tax Check in a properly addressed envelope with the correct pre-paid postage for regular first-class mail in a United States Postal Service mail receptacle located at Grants Lake Post Office in order to pay the property taxes due for the 20²⁰ tax year on the Subject Property before the delinquency date of February 1, 2021. This Tax Check was intercepted and cashed by a party other than the Fort Bend Tax Assessor-Collector. (stopped payment)

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

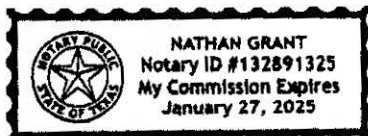
Executed this 11 day of June, 2021.

Signed By: [Signature]

Printed Name: Monte J. Hambleton

NOTARY ACKNOWLEDGEMENT

Sworn to and subscribed before me, the undersigned authority, on this 11 day of June, 2021.



[Signature]

Notary Public State of Texas

COMPOSITE TAX RECEIPT



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

Certified Owner:

HAMBLETON MONTE J & KATHLEEN R
2519 WATER REST DR
SUGAR LAND , TX 77479-1310

Legal Description:

WILLIAMS GRANT SEC 1, BLOCK 3, LOT 38

Parcel Address: 2519 WATER REST DR

Legal Acres: 0.0000

Account No: 9525-01-003-0380-907

Year : 2019

Print Date : 06/04/2020

Operator Code: SOLEDADF

Rec Type : Levy

Year	Tax Unit Name	Tax Value	Tax Rate	Levy	Penalty & Interest	Coll. Fee	Refund	Total
2019	FORT BEND ISD	275,120	1.270000	3,494.02	244.58	0.00	0.00	3,738.60
2019	CITY OF SUGAR LAND	264,106	0.332000	876.83	61.39	0.00	0.00	938.22
2019	FORT BEND CO DRAINAGE	240,096	0.015300	36.73	2.58	0.00	0.00	39.31
2019	FORT BEND CO GEN FND	240,096	0.444700	1,067.71	74.74	0.00	0.00	1,142.45
Levy Total :				\$5,475.29	\$383.29	\$0.00	\$0.00	\$5,858.58
Gross Total :				\$5,475.29	\$383.29	\$0.00	\$0.00	\$5,858.58
Grand Total :				\$5,475.29	\$383.29	\$0.00	\$0.00	\$5,858.58

Account No: 9525-01-003-0380-907

LAST PAYER:

MONTE HAMBLETON
2519 WATER REST DRIVE
SUGAR LAND , TX 77479

Payment Receipt Dates:

02/29/2020

04/30/2020

LAST PAYMENT DATE: 04/30/2020