

Hear annual report from delinquent tax attorneys.

Deborah Hunt County Tax Assessor-Collector requested Harvey M. Allen with McCreary Veselka Bragg & Allen, P.C. give a report on the delinquent taxes.

Mr. Allen stated their office sent out over 17,000 notices, filed 263 lawsuits, obtained 130 judgments, three tax sales, etc.

Commissioner Mehevec requested they work with the City of Thrall to help with delinquent properties. Mr. Allen stated these lots are described as small acreage and a survey is needed to obtain a legal description. Also, it is necessary to obtain the name of the legal owner.

< Clerk copy here >

**McCREARY, VESELKA, BRAGG & ALLEN, P.C.**  
ATTORNEYS AT LAW  
710 S. MAIN ST., SUITE B-3  
GEORGETOWN, TEXAS 78626-5701

June 18, 1998

Mrs. Deborah M. Hunt  
Tax Assessor-Collector  
Williamson County  
710 South Main, Suite 102  
Georgetown, Texas 78626

RE: Delinquent Property Tax Collection Activity Report For The Period of July 1, 1997 through June 15, 1998

Dear Deborah:

The Williamson County Tax Office has collected **\$1,104,967.08 in delinquent property taxes and accrued penalties and interest** during the twelve month period from June 1, 1997 through May 31, 1998. This is a **18.83 percent increase** in the amount collected over the previous twelve month period.

The following is a Delinquent Property Tax Collection Activity Report For The Period of July 1, 1997 through June 15, 1998 for the information of the Commissioners' Court and yourself. This report details the activities undertaken to collect the delinquent taxes owed to Williamson County. This report also briefly explains the procedures we follow to insure that each property owner is notified of their tax delinquency, and the legal steps that will be taken when payment of the taxes is not voluntarily made.

**TAXPAYER NOTIFICATION** - Our experience has proven that the right notice to the right person at the right time results in the payment of taxes to our client. For this reason, McCreary, Veselka, Bragg & Allen sends a series of letters to property owners both before and after we have filed a delinquent tax suit against a property owner and the property. We send notices of delinquency at least three times each year.

Many delinquent accounts are collected as a result of giving the proper attention to finding the correct address of a property owner. Delinquent accounts with unknown or incorrect addresses are researched by the Firm through the use of the telephone directories, City Directories, utility records, voter registration records, assumed name files and the records of the Secretary of State. When the Firm obtains new addresses, notices are immediately sent informing the property owner of their tax delinquency and the need for prompt payment of the delinquent taxes. The Firm simultaneously notifies the Tax Office of the new address so that the tax records can be updated.

On July 18, 1997, McCreary, Veselka, Bragg & Allen mailed 6,279 notices of delinquency. We received numerous requests for payout agreements as a result of these notices as well as a significant number of payments. We were also able to identify some problem accounts as a result of the mailing which will require investigation and possible action by the Appraisal District.

On October 1, 1997 we prepared and mailed 2,757 second notices of delinquency.

On March 19, 1998, MVBA prepared and mailed 10,351 tax statements on all tax accounts including the current tax year.

On May 15, 1998, we prepared and mailed 6,850 notices of delinquency, including the current tax year, which fulfilled the requirements of Section 33.07 of the Property Tax Code.

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100 N. 8th St.  
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**TITLE RESEARCH** - McCreary, Veselka, Bragg & Allen conducts a thorough title examination and ownership verification on all delinquent property accounts prior to filing delinquent lawsuits. The Firm carefully researches the title of property in order to identify all parties who have an ownership interest or lien on the delinquent property. The Firm examines deeds, deeds of trust and probate records to determine who has interest in the property. All parties who have been determined to have an interest in the property are sent a final series of notices informing them that a delinquent tax suit will be filed to foreclose their interest in the property in order to have it sold to satisfy the tax delinquency.

**DEMAND LETTERS** - MVBA has sent 277 demand letters to delinquent property owners involving 353 tax accounts with a total amount due of \$192,505.36. These letters notify the property owner that suit will be filed in the immediate future if payment is not made.

**LIENHOLDER LETTERS** - When title research indicates that an individual or a financial institution has a lien on property on which there are delinquent taxes, MVBA sends a "lienholder letter" to that party. The lienholder letter notifies the party of the delinquent taxes and informs them that unless the delinquent taxes are paid, they will be included as a defendant in a suit to collect the delinquent taxes. MVBA has sent 124 lienholder letters involving 185 tax accounts with a total due of \$98,063.46.

**NEW OWNER LETTERS** - When title research indicates that ownership of property on which there are delinquent taxes has transferred to another person we send the new owner a letter informing them of the delinquent taxes due on their property. MVBA has sent 6 new owners letters involving 6 accounts with a total due of \$8,088.82.

**LITIGATION** - From July 1, 1997 thru June 15, 1998, McCreary, Veselka, Bragg & Allen filed **263 lawsuits** on 338 tax accounts in the District Court of Williamson County, Texas, involving \$406,917.35 of taxes and accrued penalties and interest due the County of Williamson. The Firm files delinquent tax suits when property owners and all other parties whom the Firm has determined to have an interest in property fail to respond to the notices sent to them. Delinquent tax suits filed by the Firm seek a personal judgment against the property owner and foreclosure and sale of the property to satisfy the tax delinquency. All the delinquent tax accounts of a property owner are included in a single lawsuit against that person. When all delinquent taxes, penalties and interest have been paid to all the taxing units involved, and all costs of court have been paid to the District Clerk, the lawsuit is dismissed against both the property owner and the property.

**JUDGMENTS** - When the property owner and all parties who have an interest in the property have been served with citation, the Firm notifies the property owner and all other defendants in the lawsuit of the date at which a hearing will be held in District Court to seek a judgment against the property owner and the property. The Firm recovers judgments against both the property owner and the property authorizing sale of the property in order to recover the delinquent taxes, penalties and interest owed. If the property owner pays the total amount of taxes, penalties, interest and costs after judgment has been rendered by the District Court, the judgment is released against both the property owner and the property. MVBA has obtained **130 judgments** involving 155 accounts with a total amount due of \$139,127.47.

**TAX WARRANTS** - On September 18, 1997 pursuant to an Order obtained from the District Court of Williamson County, MVBA seized the personal property of Burro Enterprises for failure to pay 1995 and 1996 personal property taxes in the total amount of \$2,048.32. The property owner paid the delinquent taxes due. On March 13, 1998 a mobile home owned by Liberty Machine of Texas was seized and was sold at a tax sale on April 7, 1998.

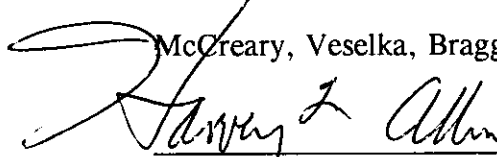
**TAX SALES** - MVBA has conducted 3 tax sales on behalf of the County. In October, 1997, the tax lien on the property of Chaparral Armature Works, Inc., was foreclosed resulting in the collection of \$3,596.01 due the County. In December, 1997, we posted 4 properties for sale. Prior to the sale, 3 of the properties were paid. One property was sold which resulted in the collection of \$1,036.58 due the County. In April, 1998, we posted 12 properties for sale. Prior to the sale, 9 of the properties were paid. Three were sold which resulted in the collection of \$1,082.33 due to the County.

**BANKRUPTCY** - MVBA has filed a Proof of Claim in **80 bankruptcy cases** involving 114 tax accounts and **22 Administrative Expense Claims** on 29 tax accounts on behalf of the County in the Bankruptcy Court. These claims include several cases where the County's previous law firm neglected to file claims. These cases were discovered as a result of responses by delinquent property owners to our notices of delinquency informing us they were in bankruptcy and by MVBA matching our existing bankruptcy files for Georgetown ISD and Leander ISD against the County delinquent roll. We monitor the progression of these cases through the Bankruptcy Court and file appropriate objections and responses to protect the rights of the County in the Bankruptcy Court.

**INTERACTION WITH TAX OFFICE AND TAXPAYERS** - MVBA's Georgetown office, located in the basement of the Courthouse, provides for easy access for tax office staff and taxpayers to our staff members. Suzanne Oates and Sue Whitmer respond to inquiries and arrange and monitor payout agreements. This local presence in Georgetown has been beneficial to all parties and has enhanced the efficiency and effectiveness of the delinquent tax collection effort.

We appreciate the opportunity to represent the County of Williamson in the collection of its delinquent taxes, and invite your questions and comments in order that we may better serve your needs.

Yours truly,

  
by: Harvey M. Allen

COMMISSIONERS ADJOURNED TO EXECUTIVE SESSION AT 10:20 A.M. ON TUESDAY, JULY 21, 1998.

AGENDA ITEM # 29                      July 21, 1998                      \*

Discuss personnel matters: (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.074 relating to personnel)

Personnel matters were discussed but no action was taken in Executive Session.

AGENDA ITEM # 30                      July 21, 1998                      \*

Discuss pending litigation: Jaroszewski vs. Anderson, et al (EXECUTIVE SESSION REQUESTED AS PER VTCA Govt. Code sec. 551.071 pertaining to consultation with attorney)

Pending litigation: Jaroszewski vs. Anderson, et al was discussed but no action was taken in Executive Session.

COMMISSIONERS COURT RECONVENED FROM EXECUTIVE SESSION AT 11:00 A.M. ON TUESDAY, JULY 21, 1998.

AGENDA ITEM # 31                      July 21, 1998                      \*

Discuss and take any appropriate action on pending litigation Jaroszewski vs. Anderson, et al.

Moved: Commissioner Hays

Seconded: Commissioner Boatright

Motion: To retain Deitz & Associates on pending litigation Jaroszewski vs. Anderson, et al in Federal suit.

Vote: Motion carried 4 - 0

AGENDA ITEM # 32                      July 21, 1998                      \*

Hear comments from commissioners.

Commissioner Boatright requested to place on the July 28, 1998 agenda discussion of the maintenance supervisor position.

Gene Taylor mentioned Cedar Park is trying to get Capital Metro out of their area and felt we needed to encourage them.

COMMISSIONERS COURT RECESSED AT 11:15 AM ON TUESDAY, JULY 21, 1998 TO THURSDAY, JULY 23, 1998 AT 9:30 A.M.

COMMISSIONERS COURT RECONVENED AT 9:30 AM ON THURSDAY, JULY 23, 1998.

AGENDA ITEM # 33                      July 21, 1998                      \*

Budget work session - various departments.

County Attorney Gene Taylor addressed the court concerning his budget.

COMMISSIONERS COURT ADJOURNED AT 10:50 A.M. ON THURSDAY, JULY 23, 1998.