

D-1-GN-20-000049

CAUSE NO. \_\_\_\_\_

ANTHONY SESSA, AND 137 PROPERTY	§	IN THE DISTRICT COURT
OWNER/CLIENTS OF FIVE STONE	§	
TAX ADVISERS, LLC	§	
Plaintiffs,	§	
vs.	§	
	§	OF TRAVIS COUNTY, TX
TRAVIS APPRAISAL REVIEW BOARD;	§	
AND TRAVIS CENTRAL APPRAISAL	§	
DISTRICT	§	
Defendants	§	<u>345TH</u> JUDICIAL DISTRICT

**PLAINTIFFS' ORIGINAL PETITION**

Plaintiffs, Anthony Sessa and 137 property owner/clients of Five Stone Tax Advisers, LLC (Five Stone Plaintiffs) file this Original Petition against Defendants Travis Appraisal Review Board (TARB) and the Travis Central Appraisal District (TCAD) seeking a court order requiring Defendants to give them a prompt hearing on their timely filed protests of their 2019 tax appraisals.

**A. SUMMARY AND DISCOVERY CONTROL PLAN**

1. a. All 138 plaintiffs in this case timely filed protests of their 2019 tax appraisals with TCAD, but they have yet to receive a hearing before the TARB to contest the tax appraisals. Yet, their 2019 taxes must be paid by January 31, 2020. In all 138 cases, the TARB, using the support staff of the TCAD Chief Appraiser, failed to send timely notice of protest hearings and then refused to schedule the hearings. As is shown below and attached, there is plenty of evidence of errors by the TARB support staff in not properly delivering the statutorily required notices of hearings. This lawsuit merely seeks a timely hearing for these 138 taxpayers.

b. In Plaintiff Sessa's case, even after the TARB admitted that the TCAD support staff had failed send him a notice of his hearing and agreed to reschedule his hearing, TARB announced it "*adjourned* for the 2019 tax protest season" (apparently as of October 19, 2019) and he would

not get a protest hearing of his 2019 taxes “until spring/summer of 2020.” EXHIBIT P-1

c. In the case of the 137 Five Stone Plaintiffs, an unusual Saturday, July 27<sup>th</sup> hearing was scheduled for those protest hearings. But Five Stone did not receive the statutorily required notice of hearings, perhaps because of the unusual scheduling on Saturday.<sup>1</sup> When TARB refused to reschedule the hearings, Five Stone filed an appeal pursuant to Tex. Tax Code section 41.411, but the TARB again refused to allow these taxpayers to have a hearing on their protests. EXHIBIT P-2.

d. Five Stone was not the only tax agent firm in 2019 to document problems with the performance of the TARB support staff delivering the notices of hearings. As the attached affidavit from Texas Protax-Austin, Inc. officer Debra Bawcom demonstrates, during the 2019 protest season, several times TARB sent notices intended for one tax agent firm to different tax agent firm, sometimes including the mis-sent notice of hearing in an envelope addressed to Protax; sent empty envelopes that were supposed to contain hearing notices; and sent a box of ARB Board Orders to Protax that included board orders for a different tax agency. Like Plaintiff Sessa, Protax reports that it has 52 outstanding protests from 2019 that have not even been scheduled for a hearing. EXHIBIT P-3.

e. Discovery in this case is intended to be conducted under Level 2 pursuant to Texas Rules of Civil Procedure 190.3.

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<sup>1</sup> There were actually 254 Five Stone clients who were affected by failure to send notice of hearings for the July 27<sup>th</sup> hearing, but only 137 cases are being appealed to district court.

## **B. RELIEF**

2. Plaintiffs seek only nonmonetary relief. Tex. R. Civ. P. 47(c)(2).

## **C. PARTIES**

3. Plaintiffs are:

- a. Anthony Sessa is property owner of TCAD PID No. 881404 and a resident of Travis County who may be served through his attorney of record in this case.

- b. 137 Residential Property Owners who are customers of Five Stone Tax Advisers and are listed by name and the TCAD Property ID (PID) of their property in the list on the last pages of this petition. These plaintiffs may be served through their attorney of record in this case.

4. Defendants are:

- a. The Travis Appraisal Review Board who may be served via its Chair, William Fields, at the Travis Central Appraisal District offices at 8314 Cross Park Drive, Austin, Texas.

- b. The Travis Central Appraisal District may be served via its Chief Appraiser, Marya Crigler, at the Travis Central Appraisal District offices at 8314 Cross Park Drive, Austin, Texas.

## **D. JURISDICTION & VENUE**

5. The District Courts of Travis County, Texas have jurisdiction over this case pursuant to Texas Tax Code section 41.45(f) against the Appraisal Review Board regarding Sessa's hearing and pursuant to section 42.01 and 42.21 against the Appraisal District, and for the Court's jurisdiction for equitable relief, such as the injunctive relief requested herein. The amount in controversy exceeds the minimal jurisdictional limits of this Court, and the exercise of this Court's

jurisdiction over the Defendants is proper. Venue is mandatory in the District Courts of Travis County, Texas pursuant to Texas Civil Practices & Remedies Code § 15.002.

### **E. FACTS**

6. The facts stated in Paragraph 1 above are incorporated herein. Neither Sessa nor the 137 Five Stone plaintiffs (via their designated tax agents) received notice by mail from the TARB of the hearings held by the ARB of their 2019 tax appraisal protests. The TARB dismissed the protests as “failure to appear.” In Sessa’ case, TARB admitted that the TCAD support staff had failed to send notice to Sessa of his hearing but then refused—without explanation or legal justification—to have the hearing until 2020 ARB hearings are held. Five Stone made a Section 41.411 motion which the TARB heard on October 18, 2019. At that hearing, TCAD/TARB did not show evidence sufficient to uphold the presumption that the hearing notice for the July 27<sup>th</sup> Five Stone hearings was delivered to Five Stone. Five Stone provided evidence to the TARB that it did not receive the notices of hearing. Five Stone received, by mail from TARB/TCAD hearing dockets for the time span that included Friday, July 26<sup>th</sup> and Monday, July 29<sup>th</sup> with sequenced page numbers between the end of the Friday docket and Monday docket. No Saturday, July 27<sup>th</sup>, hearings were included in that packet. Despite clear evidence that Five Stone did not receive the hearing notices for the Saturday, July 27<sup>th</sup> hearings and no evidence from TCAD staff that they actually mailed the notices, the TARB refused to grant the Section 41.411 and refused to give the Five Stone plaintiffs a hearing on their 2019 tax appraisal protest.

7. Five Stone received TARB Board Orders, by certified mail, dismissing the appraisal protests at issue in this case on November 12, 2019. This appeal to district court is timely filed pursuant to Tex. Tax. Code section 42.01 and 42.21.

## **F. CLAIMS**

### **Denial of ARB Hearing**

8. Tex. Tax Code section 41.45(f) says:

(f) A property owner who has been denied a hearing to which the property owner is entitled under this chapter may bring suit against the appraisal review board by filing a petition or application in district court to compel the board to provide the hearing. If the property owner is entitled to the hearing, the court shall order the hearing to be held and may award court costs and reasonable attorney fees to the property owner.

Plaintiffs were entitled to a hearing. Plaintiffs seek a court order requiring the TARB to provide them a prompt hearing of the 2019 appraisal protest.

### **Failure to Provide Hearing Notice**

9. The failure of the TARB to deliver a hearing notice to the Five Stone Plaintiffs (via Five Stone) violates the following Tax Code provisions.

- a. Tex. Tax Code section 41.411 says:

Sec. 41.411. PROTEST OF FAILURE TO GIVE NOTICE. (a) A property owner is entitled to protest before the appraisal review board the failure of the chief appraiser or the appraisal review board to provide or deliver any notice to which the property owner is entitled.

(b) If failure to provide or deliver the notice is established, the appraisal review board shall determine a protest made by the property owner on any other grounds of protest authorized by this title relating to the property to which the notice applies.

- b. Tex. Tax Code section 41.46 says:

NOTICE OF PROTEST HEARING. (a) The appraisal review board before which a protest hearing is scheduled shall deliver written notice to the property owner initiating a protest not later than the 15th day before the date of the hearing. The notice must include:

- (1) the date, time, and place of the hearing;

(2) a description of the subject matter of the hearing that is sufficient to identify the specific action being protested, such as:

- (A) the determination of the appraised value of the property owner's property;
  - (B) the denial to the property owner in whole or in part of a partial exemption; or
  - (C) the determination that the property owner's land does not qualify for appraisal as provided by Subchapter C, D, E, or H, Chapter 23; and
- (3) a statement that the property owner is entitled to a postponement of the hearing as provided by Section 41.45 unless the property owner waives in writing notice of the hearing.

c. Tex. Tax Code section 1.07 says:

DELIVERY OF NOTICE. (a) An official or agency required by this title to deliver a notice to a property owner may deliver the notice by regular first-class mail, with postage prepaid, unless this section or another provision of this title requires or authorizes a different method of delivery or the parties agree that the notice must be delivered as provided by Section 1.085 or 1.086.

(b) The official or agency shall address the notice to the property owner, the person designated under Section 1.111(f) to receive the notice for the property owner, if that section applies, or, if appropriate, the property owner's agent at the agent's address according to the most recent record in the possession of the official or agency. However, if a property owner files a written request with the appraisal district that notices be sent to a particular address, the official or agency shall send the notice to the address stated in the request.

(c) A notice permitted to be delivered by first-class mail by this section is presumed delivered when it is deposited in the mail. This presumption is rebuttable when evidence of failure to receive notice is provided.

10. The TARB is without legal authority to just prematurely “adjourn” hearing 2019 taxpayer protests while hearings are still pending, and Plaintiff Sessa is entitled to a timely ARB hearing. In addition, if the Five Stone plaintiffs prevail on their claim of their lack of notice, they too are entitled to prompt and timely hearing of their 2019 tax appraisal protests. Plaintiffs were entitled by stature and due process to receive notice of the TARB hearing and to have such a hearing on

their 2019 tax appraisal protests scheduled promptly. Therefore, Plaintiffs seek a court order compelling the Defendant Travis Appraisal Review Board to grant Plaintiffs prompt hearings on their appraisal protest for 2019.

#### **G. CONDITIONS PRECEDENT**

11. All conditions precedent have been performed or have occurred.

#### **PRAYER**

For these reasons, Plaintiffs pray that—

- a. Defendants be cited to appear and answer;
- b. Plaintiffs be granted judgment as follows:

1. Pursuant to Tex. Tax Code 41.45(f), enter an order compelling the Defendant Travis ARB to promptly grant hearings to each Plaintiff on their 2019 appraisal protest, and after such hearing, to correct the 2019 appraisal records of Travis County;

2. Pursuant to Tex. Tax Code 42.24(c), find that TARB failed to provide notice of hearing to the Five Stone Plaintiffs as required by Tex. Tax Code section 41.411 and enter an order compelling the Defendant Travis ARB to promptly grant hearings to each Plaintiff on their 2019 appraisal protest, and after such hearing, to correct the 2019 appraisal records of Travis County;

- c. Plaintiffs be granted judgment for all costs of court.
- d. Plaintiffs be granted all further relief to which Plaintiffs may be entitled.

Respectfully submitted,



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Bill Aleshire  
Bar No. 24031810

AleshireLAW, P.C.  
3605 Shady Valley Dr.  
Austin, Texas 78739  
Telephone: (512) 320-9155  
Cell: (512) 750-5854  
Facsimile: (512) 320-9156  
[Bill@AleshireLaw.com](mailto:Bill@AleshireLaw.com)  
**ATTORNEY FOR PLAINTIFFS**

Attached:

Exhibit P-1- Correspondence between Plaintiff Sessa and TARB

Exhibit P-2- Five Stone's Section 41.411 Motion and Supporting Material

Exhibit P-3- Affidavit of Debra Bawcom and exhibits P-3A thru P-3E



**FIVE STONE PLAINTIFFS' LIST:**

Petition Paragraph 3(b): 137 Residential Property Owners, Customers of Five Stone Tax Advisers:

<b>PID</b>	<b>TCAD Owner Name</b>	<b>Situs</b>
128621	Haskett Steven F & Mary M	5604 Creek Bottom
132078	Byrd Kathleen & David	2809 Vallarta Ln
135151	Jetton Patricia A	132 Lido
135398	Dodge Helen & Jennifer	106 Rudder Dr
135422	Reinschmidt John S & Debbie A	105 Triton Ct
135446	Ballard Glenn A	415 Dasher Dr
135500	Foster Christopher S & Lori B	126 Blue Jay Dr
135646	Ozuna Eduardo	126 Schooner Dr
137711	Botta Frank J & Elizabeth J Trust	418 New Lido Dr
137769	Aannestad Bjorn & Stacy	912 Biscayne
137797	Ragan Stanley J & Megg E	937 Vanguard
137982	Velagapudi Supriya & Arobind	115 Tallstar Dr
137983	Brokish David Joseph	113 Tallstar Dr
138061	Ford Edward D & Michelle	321 Nautilus Ave
141385	Hieronymus Frances	7901 Griffin Ct
141419	Mcgaughey Gary & Jamey Smith	3826 Williamsburg Cir
211778	Ali Kristopher	1002 E 38 1/2 St
211782	Copeland Todd A & Christa M	912 E 38 1/2 St
214927	Tsai Patricia Ann	707 E 44 St
214966	Phillips Kristin E & Anthony F Di Fiore & Anthony D West	803 E 44 St
226323	Shoghi Majid	1402 W 51 St
231427	Chisolm Rachel Elizabeth	213 E Lisa Dr
244289	Garcia Julian	8111 Parkdale Dr
248612	Mackie Emily Louise & John Warren Edwards	8506 Daleview Dr
249757	First Bradford M & Dorothy	3012 Crosscreek Dr
249849	Rapp Steven T & Myra Dioquino	8708 Donna Gail Dr
272220	Dickey Bruce Allen	4420 Secluded Holw
312049	Alpert Kristine	8000 Landsman Dr
312848	Meyer Rachel Sherry	1503 Redd St
312939	Milazzo Stacey L & Anthony C	1701 Forest Hill Dr
312977	Koett Suzanne Marie & Camille Lindenberg-Woods	1808 Forest Hill Dr
313889	Ramos Ernest	1208 Redd St
313902	Hallmark Nancy Ann	4501 Hank Ave
314006	Baskin Stephany	907 Nalide St
315680	Yoo Edward S & Louise Liller	5010 Lansing Dr

331783	Reeves Jill	6206 Mesa Grande Dr
332073	Denero Anthony D & C Jane	6310 Hillside Terrace Dr
332134	Kreiger Geoffrey W & Sandra G	6313 Hillside Terrace Dr
346430	Dickey Charles & Deborah L	3421 Squirrel Holw
346446	Reynolds Benjamin & Jessica Gordon	11009 Shady Hollow Dr
346534	Klancnik Thomas E	10705 Culberson Dr
346810	Parmer Carl H	4207 Aldama Dr
347149	Wong Jennifer Y	3010 Sesbania Dr
347188	Bennett Nancy J	11301 Aloysia Dr
347489	Kirby Christopher & Charles Sherwood	3317 Spotted Horse Trl
347596	Ard Cary & Karen	4113 Tecate Trl
348224	Quartermaine Keith Jr	3210 Capsicum Cv
348386	Paiga Darroll O & Debra A	3000 Blacksmith Ln
348424	Liang Alex S Ok Pun Liang	3009 Shoot Out Ct
348430	Tidmore Stephen & Sarah Renee	3002 Shoot Out Ct
348451	Walton John F & Teresa K Young	2914 Six Gun Trl
348464	Daly Sean Thomas	2915 Shotgun Ln
349815	Lenhardt Joseph	12401 Bear Hollow Cv
350249	Taylor Margery Sue	2404 Winged Foot Cv
350293	Jackson Michael Robert & Tamyra Lynn Jackson	2104 Baltusrol Dr
350346	Norton Mary C & Howard Norton Residuary Tr	2105 Baltusrol Dr
354021	Settler Patrick L & Christina M	15400 Apple Springs Holw
357876	Catlett Steven W	2116 Lauren Dr
358102	Payne Alan E & Lyndsay G	27033 Masters Pkwy
372686	Roberts Trust	6850 Auckland Dr
372694	Williams Aaron S	6833 Auckland Dr
378852	Tuggle Jay A & Erin N	3501 Del Robles
379048	Bolinger Ray Martin Jr	3901 Del Robles
379057	Johnson Brent W & Katy J	3500 Mc Neil Dr
379129	Samaroo Earl & Luann	4120 Mc Neil Dr
380753	Bowen Russell D & Griselda A	6404 La Carman Ln
430258	Mccullars David	8624 Barrow Glen Loop
446790	Mann Brandy S	7009 Colberg Ct
446794	Kobla Darshan & Divya Rathanlal	8904 Hachita Dr
465133	Stence Geraldine Rae	6204 Tanak Cv
466496	Blais Darren F & Karen D	11417 Cotulla Dr
466540	Martinez Monica Sena & Antonio	11437 Carnelian Dr
466552	Brent Kelly	11408 Cotulla Dr
466600	Bienek Michael D & Mary K	4305 Lost Oasis Holw
485176	Tsao Jesse Trust & Tsao Family Trust	4412 Chickasaw Ct
485980	Roberts Daron & Hilary A	8589 Steamline Cir

512508	Kobla Darshan & Divya Rathaniel	10704 Natick Ln
512520	Votteler Todd & Sharmon	10604 Natick Ln
512805	Cottam Christopher A & Natalie B	6800 Walebridge Ln
523651	Kommineni Naresh & Kavitha Gudapati	2707 Benevento Way
523655	Hughes Jared & Haley	2712 Azzuro Way
523656	Wang Dennis S & Rebecca L J	2710 Azzuro Way
554612	Hinds Chris N & Katherine F	11401 Bastian Cv
566546	Trebilco David R & Elisa J	2309 Birchington Dr
566586	Calvert Karen A & Burton H Jr	2310 Aldworth Dr
575786	Butler Edward S	2406 Keepsake Dr
575835	Butler Edward S	8616 Brock Cir
575857	Bauer William F	8604 Dulcet Dr
583987	Kuharski Steve & Cheryl	3108 Appennini Way
583994	Hewitt Gary D & Zsuzsanna S	3102 Castellano Way
584198	Glace Rebecca T	1018 Horne Dr
584208	Albert Patsy Forder & Harley O	2701 Checker Dr
584269	Wingert Matthew P & Linda L	2712 Lovett Ln
584329	Lo Raymond Wai-Ming & Lai Yung Lai	808 Zappa Dr
586374	Martin Andrew David	2509 Beauty Berry Cv
586376	Tenneti Sudheer & Rohini Kummitha	18908 Colonial Manor Ln
586381	Rangel Jason R & Jacqueline M	18909 Falcon Pointe Blvd
587626	Albin Andrew Wayne & Sheri Lee	8504 A Red Willow Dr
709026	Skillern Richard C & Dionne	7109 Greenshores Dr
717953	Armstrong Mark S & Christine L	19020 Wandering Vine Cv
718294	Weiss Joe H & Mary E	2804 Richfield Lndg
719188	Abt Trust	1318 Newning Ave A
734923	Drews Valerie & Albert P Kundrik	10728 Canfield Dr
737023	Mansouri Roshanak & Brandon Keith Zinn	3721 Glastonbury Trl
739807	Castel Fabian R Sr & Christine	2828 Checker Dr
739809	Starr Brady J & Lindsey M	2824 Checker Dr
739821	Whitley Christopher M & Angela M	2835 Checker Dr
741798	Ruiz Kevin & Julia A	2808 Summit Heights Ct
741830	Viduya Stephen & Theresa	18900 Boulder Crest Dr
751605	Morris Richard	7705 Bettis Trophy Dr
753000	Bowman Matthew	902 Ripperton Run
753018	Chou Chih-Ming	2804 Diddlely Cv
778433	Kim Kevin D & Mi Young Lee	20224 Wearyall Hill Ln
783556	Osborn Clinton	2316 Thornton Rd B
783558	Froelich John & Susan	2318 Thornton Rd B
812102	Barras Jeremy & Emily Beck	3116 Evening Breeze Way
817470	Butler Robert & Tiffany	18329 Falcon Pointe Blvd

822181	Godkin Benjamin Elias	2001 Holly St
830369	Barnes Zachary Michael & Emma Catherine Barnes	19717 Moorlynch Ave
830371	Tran Michael	19805 Moorlynch Ave
830377	Phan Christian & Ann Nguyen	19812 Cerridwen Dr
830382	Steinbart Wilfred & Cindy	19716 Cerridwen Dr
830399	Tilly Joseph Steven & Deeana Lyn Tilly	3016 Falsterbo Dr
832254	Pittman Virgil & Diane	103 Blue Jay Dr
838225	Thomas Justin H & Sarah E	609 West Lynn St 3
849284	Berkely John J & Bobby Myska	3221 Chalice Well Dr
849287	Fish Timothy C & Summer L	3208 Chalice Well Dr
853174	Reynolds Michael James	1013 Lambie St B
853175	Rogers Kelly	1013 Lambie St C
860233	Arias Matthew Ernest & Elena Louisa	19013 Priddy Ct
862196	Venman Michael	1106 Lambie St A
863370	Boas Aaron	3504 Clawson Rd 1
874397	Chau Hung & Kim Ngan Chau	3600 Del Payne Ln
890224	Rosenthal Brad	908 Nueces St 14
890241	Rogel Ryan R	908 Nueces St 35
890242	Robinson Karen W	908 Nueces St 36
890245	Heller Christopher J & Nina R	908 Nueces St 41

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ANTHONY SESSA, AND 137 PROPERTY  
OWNER/CLIENTS OF FIVE STONE  
TAX ADVISERS, LLC

Plaintiffs,  
vs.

TRAVIS APPRAISAL REVIEW BOARD;  
AND TRAVIS CENTRAL APPRAISAL  
DISTRICT

Defendants

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IN THE DISTRICT COURT

OF TRAVIS COUNTY, TX

\_\_\_\_\_ JUDICIAL DISTRICT

**EXHIBITS**

**Exhibit P-1- Correspondence between Plaintiff Sessa and TARB**

**Exhibit P-2- Five Stone's Section 41.411 Motion and Supporting Material**

**Exhibit P-3- Affidavit of Debra Bawcom and exhibits P-3A thru P-3E**

From: TCAD ARB <[tcadarb@gmail.com](mailto:tcadarb@gmail.com)>

Date: Tue, Oct 29, 2019 at 9:07 AM

Subject: PID # 881404 - Unit B 1919 Madison Ave

To: <[anthonysessa@gmail.com](mailto:anthonysessa@gmail.com)>

Dear Mr Sessa,

Your email to Travis Central Appraisal District (TCAD) was forwarded to the Travis Appraisal Review Board (TARB) for review and action. Although TCAD Customer Service did reschedule your Formal Protest Hearing to another date and time, they neglected to advise you of that date and time. Your rescheduled hearing was on the TARB hearing docket for October 11, 2019 at 2:00 PM, thus your protest status has changed to Failure to Appear (FTA).

We have reopened your 2019 market value protest and we will reschedule your new hearing on the next 2019 protest hearing docket. Since the TARB has adjourned for the 2019 tax protest season, your property protest hearing will not take place until the spring/summer of 2020.

Thomas L King  
Vice-Chair Travis Appraisal Review Board



From: **Anthony Sessa** <[anthonysessa@gmail.com](mailto:anthonysessa@gmail.com)>

Date: Mon, Oct 28, 2019 at 1:12 PM

Subject: Re: Postpone Formal Appraisal Hearing

To: Customer Service <[CSinfo@tcadcentral.org](mailto:CSinfo@tcadcentral.org)>

Good afternoon,

I wanted to reach out because I have received an email about the final value of my protest.

I have two concerns:

1. The website currently will not load any information or additional pages. There seems to be some kind of bug / issue.
2. I did not receive a formal hearing date or time via the mail, so I am not sure how a final appraisal value would be arrived at?

Thank you for your time,

Anthony

908-380-1659

From: <[noreply@traviscadonline.org](mailto:noreply@traviscadonline.org)>  
Date: Mon, Oct 28, 2019 at 1:05 PM  
Subject: Final Value For Your Protest  
To: <[anthonysesta@gmail.com](mailto:anthonysesta@gmail.com)>

Referencing:

Year: 2019  
Protest ID: 61534  
Property ID: 881404  
Protestor ID: 1707109

SESSA ANTHONY J & STEPHANIE H,

The final appraised value of your property is available online. If you wish to login to the website, please click the link below.

Travis Central Appraisal District  
<https://eservices.traviscadonline.org/>



From: **Customer Service** <[CSinfo@tcadcentral.org](mailto:CSinfo@tcadcentral.org)>

Date: Fri, Aug 9, 2019 at 2:59 PM

Subject: RE: Postpone Formal Appraisal Hearing

To: Anthony Sessa <[anthonysesta@gmail.com](mailto:anthonysesta@gmail.com)>

Good afternoon,

Your hearing has been postponed. You will be notified of your hearing date and time by mail.

Best regards,

*Customer Service*

Travis Central Appraisal District

8314 Cross Park Dr

PO Box 149012

Austin, TX 78714-9012

(512)834-9317



From: **Anthony Sessa** <[anthonysessa@gmail.com](mailto:anthonysessa@gmail.com)>

Date: Wed, Aug 7, 2019 at 2:53 PM

Subject: Fwd: Postpone Formal Appraisal Hearing

To: <[arb\\_info@tcadcentral.org](mailto:arb_info@tcadcentral.org)>

To Whom It May Concern,

I was informed to forward my request to postpone my protest hearing to this email address as well.

My Prop ID is 881404

My Case # is 2019-61534

Thank you for allowing me to reschedule.

Anthony

908-380-1659

**From:** Anthony Sessa <[anthonysessa@gmail.com](mailto:anthonysessa@gmail.com)>

**Sent:** Monday, August 5, 2019 1:48 PM

**To:** Customer Service <[CSinfo@tcadcentral.org](mailto:CSinfo@tcadcentral.org)>

**Subject:** Postpone Formal Appraisal Hearing

To Whom It May Concern,

I am writing to postpone the Formal Protest hearing on August 9th, 2019 at 10:00am.

My Prop ID is 881404.

My Case # is 2019-61534

Thank you for allowing me to reschedule.

Best,

Anthony

908-380-1659

August 20, 2019

Travis Appraisal Review Board  
8314 Cross Park Drive  
Austin, TX 78754

RE: Sec 41.411 Motion

Dear Appraisal Review Board (ARB) Chairperson,

Per the guidance provided in the enclosed email correspondence with ARB Chairperson, Betty Thompson, we are hereby submitting a Protest of Failure to Give Notice per Section 41.411 of the Texas Property Tax Code.

Therefore, on behalf of the property owners referenced in the enclosed list, we hereby request you grant our petition for a hearing for these properties originally protested per Texas Property Code 41.44(d) and other applicable provisions of the Texas Property Tax Code. We request that these hearings be scheduled in a manner consistent with the scheduling to-date, in terms of the number of cases per panel. If this is not possible, in accordance with Section 41.66(j) of the Texas Property Tax Code, this notice serves as a **"request for same-day protest hearings"**.

**Please confirm receipt of this email and the enclosures.**

Sincerely,

**John Paul Krueger**  
*Founder and CEO*

Enclosures:

- Email Correspondence with ARB Chair Thompson
- List of properties requiring a hearing



**From:** TCAD ARB <tcadarb@gmail.com>

**Sent:** Friday, August 2, 2019 11:13 AM

**To:** John P. Krueger <jp@fivestonetax.com>

**Cc:** Julia Armstrong <julia.armstrong@texasarb.com>; Roy Armstrong <roy.armstrong@texasarb.com>

**Subject:** Response to Hearing Scheduled 7/20 and 7/27 and Dockets 6560 and 6601

Mr. Krueger,

In response to your July 25th request regarding the following:

Below is a breakdown of the 7/27 Docket Number/Type/Count:

<b>7-27 Docket Number</b>	<b>Type</b>	<b>Count</b>
7485	Residential	40
7493	Residential	40
7495	Residential	40
7497	Residential	40
7498	Residential	40
7499	Residential	40
7793	BPP	1
7814	Residential	13
<b>Grand Total</b>		<b>254</b>

You indicate that you had not received Notice of the Hearing from the Appraisal Review Board for these 2019 protests. You became aware of the scheduled hearing on 7/23/2019 in a response to Public Information Request made by your company to the Appraisal District. Agreeing with your point, a request made under the Local Government Code does not satisfy the noticing requirement of the ARB under the Texas Property Code.

Your company's agents did not appear on 7/27/2019 due to the "failure to send notice". The Texas Property Code provides remedy for this very situation under section 41.411. All 254 accounts have been dismissed and you will be able to file a 2019 protest under the 41.411 motion. These hearings will not occur until late October when the ARB begins late motion hearings.

In addition, docket 5793 from Saturday, 7/20/2019, was not signed-in and when inquiry was made of your agent working that day, he responded he would not be working this docket. This is a commercial docket which would not been connected to Justin Nye's emergency, so we would have expected you to send an agent to the scheduled hearings. No contact was made in the four day window post the scheduled hearing date to offer "good cause". This docket was dismissed for FTA.

Dockets 6560 and 6601 remain open pending hearing as part of the emergency associated with Mr. Nye's personal family issue. We will expect you to complete this work by August 7th.

Betty Thompson  
Chair, Appraisal Review Board

On Thu, Jul 25, 2019 at 9:37 AM John P. Krueger <[jp@fivestonetax.com](mailto:jp@fivestonetax.com)> wrote:

Ms. Thompson,

I write to you concerning the ARB's failure to provide proper notice for the apparently scheduled dockets of Saturday July 27<sup>th</sup>.

**Five Stone has not received notification of any hearings scheduled for July 27<sup>th</sup>** and therefore will not be present in the event there are scheduled hearings.

Facts:

- Five Stone did not receive any scheduling letters nor any notification of any type for July 27<sup>th</sup>.
- Five Stone has received scheduling letters for all other hearings this year, including July 26<sup>th</sup> and July 29<sup>th</sup>, the days bracketing Saturday the 27<sup>th</sup> (attached, in date and page numbered order as produced by the ARB). This document clearly shows no hearings scheduled for July 27<sup>th</sup>.
- On July 8<sup>th</sup>, through an open records request, TCAD provided a spreadsheet which included our hearings scheduled through Aug 2cd. This spreadsheet showed no hearings scheduled for July 27<sup>th</sup>. (attached)
- **On July 23<sup>rd</sup>**, through an open records request, TCAD provided a spreadsheet which included 6 full dockets of hearings apparently scheduled for July 27<sup>th</sup>.
- There are no scheduling notifications in the "agent portal." (attached).

If there are in fact hearings scheduled for Saturday July 27<sup>th</sup>, please reschedule those hearings and provide 14 days' notice as required by law.

If there are in fact hearings scheduled for Saturday July 27<sup>th</sup>, please explain when the decision was made and why notice was not provided.

**John Paul Krueger** *Founding Partner and CEO*

*Office:* 512.833.5829 | *Fax:* 512.582.8590

Austin Texas | Zurich Switzerland



**Be grateful and encourage others...**



[illegible]









[illegible]

## AFFIDAVIT OF DEBRA BAWCOM

“My full name is Debra Glynn Bawcom. My date of birth is [REDACTED], and my address is 405 Friesian Ln., Cedar Park, TX 78613. I am over 18 years of age, of sound mind, and capable of making this verification. I declare under penalty of perjury that the facts stated below in this affidavit are true and correct and are within my personal knowledge. The attached exhibits (emails) are true and correct copies collected and maintained in my capacity as Chief Executive Officer of Texas Protax-Austin, Inc. This affidavit is provided for evidence in support of Five Stone Tax Advisors’ clients seeking a district court order for ARB hearings pursuant to Tex. Tax Code section 41.411.

1. We began the tax appraisal protest process at the Travis Central Appraisal District for 2019 around mid-April. On Wednesday April 17, 2019, I emailed the “Agent Portal” email with several questions concerning the portal waivers, disclaimers, and lack of information being provided by the appraisal district on this new process. In this email, I specifically asked questions concerning the plan by the appraisal district and the appraisal review board to send formal hearing notices. In TCAD’s response Friday April 19, 2019, TCAD specifically stated that the TCAD Portal was only implemented for the “Informal Process” and was not to be confused with the formal procedures for hearing notices. TCAD stated, “the agent portal is being used to facilitate the informal process rather than the formal process. Therefore, TCAD and the TARB will send all notices and orders pertaining to the formal process in accordance with the requirements imposed by the Texas Property Tax Code and the 2019 TARB Agent Policy. Please do not confuse the informal process with the formal process. “

2. On May 21, 2019, we received our first round of hearing notices from the Appraisal Review Board. On May 22, I emailed Ms. Betty Thompson, Chair of the Travis Appraisal Review Board, with several questions and concerns about the notices we had received. My first point of concern was that we were “extremely concerned that some of our hearing notices could be mailed to other companies and not delivered to any of our agents.” We included with the email an example of a hearing notice addressed to another firm that was included in our hearing packets from May 21.

3. We went on to request all hearing notices for agents with Texas Protax be sent to their email address on file – [agents@texasprotax.com](mailto:agents@texasprotax.com) as well as all hearings be given in an excel format along with the official hearing notice letter and docket. These requests were never acknowledged nor fulfilled.

4. On May 23, 2019, I followed up on the May 22 email after receiving a form letter from the ARB trying to explain the plan for all the dockets received May 21. Again, I reiterated our concern about not receiving notices, and again asked for notices of hearings to be emailed to [agents@texasprotax.com](mailto:agents@texasprotax.com) and sent to us in an electronic excel format. Again, this email went unanswered or acknowledged.



5. I followed up with our concerns about scheduling and the hearing notices again on June 10, 2019 in another email to the TCAD ARB Chair. I again mentioned our concern that dockets appeared to be missing because some of our agents had not been scheduled for hearing when others had. I again brought up the hearing docket we received for another firm that had been provided in the May emails. Again, this email went unanswered or acknowledged.

6. On Tuesday, July 16, I emailed Ms. Thompson again concerning dockets we had received that were not correct. On July 16, 2019, we received a hearing notice supposedly for Lana Lawrence – one of Texas Protax's agents. However, when we opened the envelope, the docket contained in the letter was for a firm named "Lewis Property Tax Services" and not for Lana Lawrence or any other Texas Protax agent. We provided this information to Ms. Thompson. This email was not answered or acknowledged.

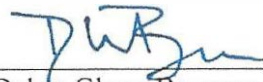
7. Additionally, but in a separate email on July 16, we sent an example of a docket for Texas Tax Protest that was mailed to Texas Protax Inc. Texas Tax Protest and Texas Protax Inc. are two entirely separate firms. Our understanding is that Texas Tax Protest is based out of Dallas with a Dallas mailing address. We gave Ms. Thompson the information that we received a docket intended for Texas Tax Protest. This email was not answered or acknowledged.

8. During September, I met with Ms. Thompson to discuss an envelope we received in the mail addressed to David Bawcom, one of our agents. The issue was that the envelope was empty and did not contain any information. I took the envelope to Ms. Thompson, to show her that the envelope was empty and explain my concern again that we may not have received notices that were supposedly delivered. Her only comment to me was that we would need to file 41.411 protests on anything we do not think we received notices for.

9. Finally, On October 16, 2019, we emailed Ms. Thompson with supporting documentation that we had received Certified Mail Orders Determining Protests from the ARB for Valor Tax Solutions – again another firm not associated with Texas Protax. Again, this email was not answered or acknowledged.

10. We believe as of October 28, 2019, Protax still has 52 outstanding protests for which we never received a notice of hearing.

Executed in Travis County, State of Texas on the 6 day of January 2020.

  
\_\_\_\_\_  
Debra Glynn Bawcom  
Affiant



## Debra Bawcom

---

**From:** Debra Bawcom  
**Sent:** Wednesday, May 22, 2019 2:53 PM  
**To:** 'tcadarb@gmail.com'  
**Cc:** David Bawcom (dbawcom@texasprotax.com)  
**Subject:** Hearing Notices and Dockets Received  
**Attachments:** DDB 6-4-19.pdf

Tracking:	Recipient	Delivery
	'tcadarb@gmail.com'	
	David Bawcom (dbawcom@texasprotax.com)	Delivered: 5/22/2019 2:53 PM

Good afternoon, Ms. Thompson,

We received a series of hearing notices in the mail yesterday and have several questions that we hope you can answer or explain for us. I have provided some examples of the questions we have and then the actual question/comment is highlighted in red. ***Please provide answers or explanation for each red comment or question below.***

First and foremost – Yesterday, we received 26 envelopes containing various hearing notices by US MAIL. Contained in one of those hearing notice envelopes was a notice for another firm – NOT a Texas Protax Agent. I have attached the envelope received for Agent Dawn Brady Morris. In the attached packet on pages 5 and 6 of the scanned attachment are hearing notices for Michel Gray LLP.

- We are extremely concerned that some of our hearing notices could be mailed to other companies and not delivered to any of our agents.

We have agreed to all the waivers on TCAD's portal which specifically state that communication concerning any property or protest through the portal will be done electronically. This agreement is not limited to just informal settlements, so we were expecting to receive hearing notices via email and/or electronic means. However, it appears TCAD is not posting hearing dates on the Portal System – even though there are fields for hearing dates and locations on the main/standard view of parcels when you log into the portal account.



**MULTI-OWNER/AGENT  
NOTICE OF FORMAL PROTEST HEARING**

Date: May 20, 2019

APPRAISAL REVIEW BOARD FOR: Tax Year 2019

Travis Central Appraisal District  
P.O. Box 149012  
Austin, Texas 78714

**MICHEL GRAY LLP**

You filed a notice of protest on the attached list of accounts, and we have scheduled hearings on your protest as follows:

**Formal**

DATE: June 4, 2019 8:00AM

PLACE: 850 E Anderson Lane, Austin, Texas 78724

It is important that you appear for your hearing at the date and time scheduled. In some instances, you have been assigned a panel per the attached schedule. If you have been assigned a specific panel for your accounts, it will be listed in the Panel column. If your accounts were not assigned a specific panel, please arrive at your earliest scheduled time and you will be seated in the first available panel. Failure to appear may result in the dismissal of your protest and may jeopardize other rights to which you may otherwise be entitled. **If you do not want to attend the hearing, the law allows you to submit your evidence in the form of a sworn affidavit, which is included for your convenience.** The property owner or appointed agent must attest to the affidavit before a Notary Public or an officer authorized to administer oaths. The affidavit must state whether or not you intend to appear at the hearing and must be submitted to the Appraisal Review Board (ARB) before it begins the hearing on the protest. By submitting an affidavit, you do not waive the right to appear in person at the protest hearing. The ARB may consider the affidavit only if you do not appear at the hearing in person.

The chair person, at his/her discretion, may modify panel assignments or scheduled times to facilitate the efficient completion of protest hearings. In addition and without limitation as to the number of postponements, the ARB shall postpone the hearing to a later date if good cause is shown by the property owner or the owner's agent or if the Chief Appraiser consents to the postponement. The hearing may not be postponed to a date past July 14<sup>th</sup> unless agreed to by the ARB chairman and the Chief Appraiser or his representative.

The Tax Code includes specific provisions regarding your legal rights and responsibilities with regard to protest hearings in addition to those mentioned above. A copy of the Appraisal Review Board formal hearing procedures is enclosed for your convenience. You should carefully read Tax Code Chapter 41 for more information.

For your hearing, you should bring 5 copies of your written evidence and/or documentation of value to support your protest. A copy of the data, schedules, formulas, and all other information the Chief Appraiser plans to introduce at the hearing will be made available at least 14 days before the scheduled hearing. If you require accommodations due to disability, please contact: (512) 834-9318.

5/20/2019

MICHEL GRAY LLP

<u>Order</u>	<u>PropID</u>	<u>CaselD</u>	<u>Nbhd</u>	<u>Owner</u>	<u>Situs</u>	<u>Market</u>
1	850463	72045	R3006	LOPEZ ANDRES	6 CHANDON LN	373,162

APPRAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS



## Debra Bawcom

---

**From:** Debra Bawcom  
**Sent:** Thursday, May 23, 2019 4:51 PM  
**To:** 'tcadarb@gmail.com'  
**Cc:** David Bawcom (dbawcom@texasprotax.com)  
**Subject:** Hearing Notices and Dockets Received Follow Up  
**Attachments:** ADC Docket Example pg 37.pdf

**Importance:** High

Tracking:	Recipient	Delivery
	'tcadarb@gmail.com'	
	David Bawcom (dbawcom@texasprotax.com)	Delivered: 5/23/2019 4:51 PM

Good afternoon, Ms. Thompson,

We are in receipt of your letter explaining and apologizing for the dockets sent on May 20. Thank you for the added explanation. However, that form letter does not answer most of our concerns expressed in our email yesterday. I will recap and ask again for specific feedback to each question/concern stated below.

- We continue to be extremely concerned that some of our hearing notices could be mailed to other companies and not delivered to any of our agents. This concern is threefold:
  - Yesterday, we received 26 envelopes containing various hearing notices by US MAIL. Contained in one of those hearing notice envelopes was a notice for another firm – NOT a Texas Protax Agent. I have attached the envelope received for Agent Dawn Brady Morris. In the attached packet on pages 5 and 6 of the scanned attachment are hearing notices for Michel Gray LLP.
  - For the last 10 years we have relied on regular and consistent TCAD data updates to gather hearing schedules and verify hearing dates and times, but this year TCAD has refused to give us ANY data since April 15.
  - TCAD is intentionally not posting hearing times and dates on either their website or the TCAD agent portal for agents to access electronically despite our agreement to opt into their Email Communication waivers.
- Again, we specifically request all hearing notices for agents with Texas Protax be sent to their email address on file – agents@texasprotax.com
- Additionally, we specifically request all hearings be given in an excel format along with the official hearing notice letter and docket.
- The letter received today still does not address the fact that the Review Board scheduled many of our agents for accounts that were timely and accurately coded to other agents.
  - Alan Clark received hearing notices for presumably 9 separate dockets with a total of 330 parcels. In those 9 separate dockets, NONE of the accounts were coded to Alan.
  - 303 of those parcels were coded in TCAD's records well before the time of hearing notice to 20 other agents of Texas Protax.



- Those 303 parcels coded to other agents were NEVER not coded to one of our agents, but did change on May 15 from Alan Clark to the 20 other agents.
  - The 20 other agents assigned to those 303 parcels filed protests and submitted AoA's on or before May 15<sup>th</sup>
  - TCAD recognized and continues to recognize those 303 assignments in their database.
- 27 of the parcels scheduled for Alan had been previously revoked.
  - Our agents file formal Revocation forms (from the comptroller's office) notifying the appraisal district of any parcels we no longer represent.
  - The revocation forms are either emailed to TCAD or posted on TCAD's portal the same day we close the account in our records.
  - When we actively revoke an AoA, it is our intention to not attend the hearing, but instead allow the owner and/or the new agent to attend the hearing. We cannot withdraw that protest in case the property owner decides to attend the hearing or for fear that TCAD and/or the Review Board then closes any other protests on record for that property.
- Overall, our agents were scheduled for 1,194 parcels on June 4.
  - 522 of those parcels had revocations an/dor other agency AoA's on file with the appraisal district prior to hearing notices being sent.
  - 423 parcels were actively coded to a different agent with Texas Protax than the one sent hearing notices on May 21.
  - The latest AoA filed with TCAD concerning these 423 properties was May 15.
  - Only 249 protests scheduled were accurately scheduled for the correct agent.
  - See the chart below demonstrating the numbers above:

Hearing Notice Delivered To	Total on Docket	Number Correct on Docket	Number of Parcels Incorrectly sent dockets	Number of Agents Assigned to Docket (other than who docket was delivered to)	Latest AoA Updated	Number on Docket that were previously REVOKED
ADC	330	0	303	20	5/15/2019	27
ALO	40	10	1	1	5/7/2019	29
BB	113	66	6	3	5/12/2019	41
CNG	16	6	0	0		10
DC	36	7	2	2	5/15/2019	27
DDB	20	1	0	0		19
DGB	17	5	8	6	5/15/2019	4
DHD	34	9	2	1	5/12/2019	23
DJB	44	7	0	0		37
DRB	6	0	2	2		4
IMB	85	4	79	1	5/15/2019	2
JAC	26	9	0	0		17
JB	28	13	0	0		15
JCE	39	10	1	1	5/7/2019	28
JRR	42	11	1	1	5/7/2019	30
JSN	10	7	0	0		3
KND	33	9	2	2	5/12/2019	22

LIG	30	9	2	2	5/7/2019	19
LML	22	4	0	0		18
NBC	32	10	5	4	5/12/2019	17
RLK	28	4	1	1	5/7/2019	23
SI	41	14	2	2	5/7/2019	25
SLW	36	7	4	2	5/12/2019	25
TWT	50	16	2	2	5/15/2019	32
WGC	36	11	0	0		25
<b>25</b>	<b>1194</b>	<b>249</b>	<b>423</b>	<b>53</b>		<b>522</b>

- We are specifically concerned about our 4 agents who are scheduled for more than 40 accounts.
  - Ian Brown is scheduled for 164
  - Your letter today indicates to us an intent to roll unheard parcels.
  - However, we cannot tell from the schedule, but Ian could literally be more than 25 different panels across the 4+ days it would take to finish his docket. Assignments.
  - Which specific parcels will Ian be expected to work the first day?
  - What order of parcels will Ian be expected to work each day?
- As a related issue, how do each of our agents sign in for their hearings when they may be on 20 or more different dockets?
  - Attached is an example of the first page of Alan's dockets to illustrate how many agents are recognized by TCAD on this particular page of one docket.
- What order are all of our agent's parcels going to be called?
- Many of the scheduled hearings are part of our developer and inventory accounts.
  - We filed timely renditions at the request of the appraisal district.
  - Our renditions have not been responded to, nor have any of our developer and inventory accounts received a 2019 NOAV.
    - How are Brooke Bitter and Dawn Brady Morris scheduled for inventory accounts that have not even received a 2019 NOAV?

Again, thank you for your time and consideration. We are trying to work with you to be efficient and seamless, but the little communication and information we have received is making this process more difficult than necessary.

Thanks,  
Debra



**Debra G. Bawcom**

Chief Executive Officer

Senior Property Tax Counselor

8322 Cross Park Drive, Austin, TX 78754

O: 512.339.6671 ext. 215 | C: 512.923.9814



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5/20/2019

5/15 or older  
AoA on  
record for

## CLARK ALAN DALE

Order	PropID	CaselD	Nbhd	Owner	Situs	Market
1	121953	42056	M5700	CAMPBELL GEOFFREY K & PATRICIA A	TORO CANYON RD	495,000
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
2	282849	42849	K4000	WASHKURAK WILLIAM D &	809 RUTHERFORD PL	934,293
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
3	283246	7937	K4000	RASMUSSEN JOEL C & DANI	1710 DRAKE AVE	380,810
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
4	306182	38615	N4000	FREY KATELIN M & COLE ARADOR	4837 CANYONBEND CIR	439,283
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
5	304421	38570	N4000	CLARITY INVESTMENTS LLC	4700 CAP ROCK DR	432,106
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
6	304495	38580	N4000	CUTLER MARTHA R	4607 FIELDSTONE DR	415,497
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
7	754110	43879	P1041	BARES BRIAN T & ASHLEYA	5900 KRAUSE LN	515,625
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
8	220054	45157	Z6500	AHMADI JAVAD	4515 AVENUE D	323,072
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
9	326364	31331	J3000	HONEA KELLIE E	7806 TURQUOISE TRL	300,561
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
10	326106	31310	J3000	PESQUEDA BENJAMIN & PRAJINTA	7615 ISLANDER DR	296,924
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
11	326303	31327	J3000	CREEL JACK C &	8003 COPANO DR	295,122
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
12	326242	31321	J3000	RHODES MICHAEL BLAKE	4414 MOLOKAI DR	293,733
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
13	331055	31460	J3000	ESLINGER DARYN K	8105 WASHITA DR	291,231
APPAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						

KND

Revoked

RLK

IMB

IMB

IMB

Revoked

CNG

NBC

IMB

IMB

IMB

IMB

## Debra Bawcom

---

**From:** Debra Bawcom  
**Sent:** Tuesday, July 16, 2019 4:27 PM  
**To:** 'tcadarb@gmail.com'  
**Subject:** FW: Sent another Agency Hearings to LML  
**Attachments:** LML Wrong Agent 8\_7\_19.pdf

Good afternoon, Ms. Thompson,

Please see the attached docket we received. If Lana was supposed to receive a docket for 8/7/19, we have not received it. Additionally whoever is with Lewis Property Tax Services probably did not receive their hearing notice either.

Thanks,  
Debra

Debra G. Bawcom  
[dgbawcom@texasprotax.com](mailto:dgbawcom@texasprotax.com)

---

**From:** Jack Miguez  
**Sent:** Tuesday, July 16, 2019 11:56 AM  
**To:** Lana Lawrence  
**Cc:** Debra Bawcom; Sharon Holmes; Amanda Cortez; Jimmie Jo Sanchez; Bobby Durst; Tiffany Dunkle  
**Subject:** Sent another Agency Hearings to LML

Lana,

We received an envelope addressed to you for Hearings on 8/7/19 – Problem is after opening the docket is addressed to 'Lewis Property Tax Services' and these parcels are not in our Back Office.

Just a Heads-up!

Thanks,



**Jack A. Miguez**  
*Director of Operations*  
Property Tax Consultant License #11668  
8322 Cross Park Drive, Austin, TX 78754  
512.339.6671 ext. 235



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**LAWRENCE LANA MARGARET**  
**PO BOX 140025**  
**AUSTIN TX 78714**

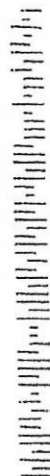


IS APPRAISAL REVIEW BOARD  
ROSS PARK DRIVE  
X 149012  
N TEXAS 78714-9012



U.S. POSTAGE >> PITNEY BOWES  
ZIP 78754 \$ 001.30<sup>0</sup>  
02 4W  
0000354937 JUL 15 2019

LAWRENCE LANA MARGARET  
PO BOX 140025  
AUSTIN TX 78714



**MULTI-OWNER/AGENT  
NOTICE OF FORMAL PROTEST HEARING**

Date: July 15, 2019

APPRAISAL REVIEW BOARD FOR: Tax Year 2019

Travis Central Appraisal District  
P.O. Box 149012  
Austin, Texas 78714

**LEWIS PROPERTY TAX SERVICES**

7259

You filed a notice of protest on the attached list of accounts, and we have scheduled hearings on your protest as follows:

**Formal**

DATE: 8/7/2019 9:00:00 AM

PLACE: 850 E Anderson Lane, Austin, Texas 78752

It is important that you appear for your hearing at the date and time scheduled. In some instances, you have been assigned a panel per the attached schedule. If you have been assigned a specific panel for your accounts, it will be listed in the Panel column. If your accounts were not assigned a specific panel, please arrive at your earliest scheduled time and you will be seated in the first available panel. Failure to appear may result in the dismissal of your protest and may jeopardize other rights to which you may otherwise be entitled. If you do not want to **attend the hearing, the law allows you to submit your evidence in the form of a sworn affidavit, which is included for your convenience.** The property owner or appointed agent must attest to the affidavit before a Notary Public or an officer authorized to administer oaths. The affidavit must state whether or not you intend to appear at the hearing and must be submitted to the Appraisal Review Board (ARB) before it begins the hearing on the protest. By submitting an affidavit, you do not waive the right to appear in person at the protest hearing. The ARB may consider the affidavit only if you do not appear at the hearing in person.

The chair person, at his/her discretion, may modify panel assignments or scheduled times to facilitate the efficient completion of protest hearings. In addition and without limitation as to the number of postponements, the ARB shall postpone the hearing to a later date if good cause is shown by the property owner or the owner's agent or if the Chief Appraiser consents to the postponement. The hearing may not be postponed to a date past August 14<sup>th</sup> unless agreed to by the ARB chairman and the Chief Appraiser or his representative.

The Tax Code includes specific provisions regarding your legal rights and responsibilities with regard to protest hearings in addition to those mentioned above. A copy of the Appraisal Review Board formal hearing procedures is enclosed for your convenience. You should carefully read Tax Code Chapter 41 for more information.

For your hearing, you should bring 5 copies of your written evidence and/or documentation of value to support your protest. A copy of the data, schedules, formulas, and all other information the Chief Appraiser plans to introduce at the hearing will be made available at least 14 days before the scheduled hearing. If you require accommodations due to disability, please contact: (512) 834-9138.



7/15/2019

**LEWIS PROPERTY TAX SERVICES**

08/07/2019

7259

<u>Order</u>	<u>PropID</u>	<u>CaseID</u>	<u>Nbhd</u>	<u>Owner</u>	<u>Situs</u>	<u>Market</u>
1	226596	140435	20CEN	AMERCO REAL ESTATE COMPANY	5414 N LAMAR BLVD	\$1,421,420
APPRAISED VALUE EXCEEDS MARKET. NOT EQUAL/UNIFORM WITH OTHERS						
2	226595	140434	20CEN	AMERCO REAL ESTATE COMPANY	N LAMAR BLVD	\$709,100
APPRAISED VALUE EXCEEDS MARKET. NOT EQUAL/UNIFORM WITH OTHERS						

## Debra Bawcom

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**From:** Debra Bawcom  
**Sent:** Tuesday, July 16, 2019 4:28 PM  
**To:** 'tcadarb@gmail.com'  
**Subject:** FW: Wrong Agency for TPT Docket  
**Attachments:** TPT Wrong Agency Docket.pdf

Ms. Thompson,

Another example of a wrong hearing notice. The hearing notice in this envelop was for Texas Tax Protest and not us. I am sure TTP did not receive hearing notice on these accounts.

Thanks,  
Debra

Debra G. Bawcom  
[dgbawcom@texasprotax.com](mailto:dgbawcom@texasprotax.com)

---

**From:** Jack Miguez  
**Sent:** Tuesday, July 16, 2019 12:00 PM  
**To:** Debra Bawcom  
**Cc:** Sharon Holmes; Amanda Cortez; Jimmie Jo Sanchez; Bobby Durst; Tiffany Dunkle  
**Subject:** Wrong Agency for TPT Docket

Debra,

Received docket for 8/6/19 (attached) and of the three accounts, one is closed, two are not in our Back Office. They are for Texas Tax Protest!

Just a Heads-up!

Thanks,



**Jack A. Miguez**  
*Director of Operations*

*Property Tax Consultant License #11668*

8322 Cross Park Drive, Austin, TX 78754

512.339.6671 ext. 235



Did you know that you can upload property photos/documents, update contact information, and view/pay your balance on your online portal? [Click here](#) to create or log into your account.

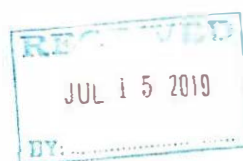
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**TRAVIS APPRAISAL REVIEW BOARD**  
8314 CROSS PARK DRIVE  
PO BOX 149012  
AUSTIN TEXAS 78714-9012



TEXAS PROTAX INC  
8322 CROSS PARK DR  
AUSTIN TX 78754



**MULTI-OWNER/AGENT  
NOTICE OF FORMAL PROTEST HEARING**

Date: July 15, 2019

APPRAISAL REVIEW BOARD FOR: **Tax Year 2019**

Travis Central Appraisal District  
P.O. Box 149012  
Austin, Texas 78714

**TEXAS TAX PROTEST**

7388

You filed a notice of protest on the attached list of accounts, and we have scheduled hearings on your protest as follows:

**Formal**

DATE: 8/6/2019 1:00:00 PM

PLACE: 850 E Anderson Lane, Austin, Texas 78752

It is important that you appear for your hearing at the date and time scheduled. In some instances, you have been assigned a panel per the attached schedule. If you have been assigned a specific panel for your accounts, it will be listed in the Panel column. If your accounts were not assigned a specific panel, please arrive at your earliest scheduled time and you will be seated in the first available panel. Failure to appear may result in the dismissal of your protest and may jeopardize other rights to which you may otherwise be entitled. **If you do not want to attend the hearing, the law allows you to submit your evidence in the form of a sworn affidavit, which is included for your convenience.** The property owner or appointed agent must attest to the affidavit before a Notary Public or an officer authorized to administer oaths. The affidavit must state whether or not you intend to appear at the hearing and must be submitted to the Appraisal Review Board (ARB) before it begins the hearing on the protest. By submitting an affidavit, you do not waive the right to appear in person at the protest hearing. The ARB may consider the affidavit only if you do not appear at the hearing in person.

The chair person, at his/her discretion, may modify panel assignments or scheduled times to facilitate the efficient completion of protest hearings. In addition and without limitation as to the number of postponements, the ARB shall postpone the hearing to a later date if good cause is shown by the property owner or the owner's agent or if the Chief Appraiser consents to the postponement. The hearing may not be postponed to a date past August 14<sup>th</sup> unless agreed to by the ARB chairman and the Chief Appraiser or his representative.

The Tax Code includes specific provisions regarding your legal rights and responsibilities with regard to protest hearings in addition to those mentioned above. A copy of the Appraisal Review Board formal hearing procedures is enclosed for your convenience. You should carefully read Tax Code Chapter 41 for more information.

For your hearing, you should bring 5 copies of your written evidence and/or documentation of value to support your protest. A copy of the data, schedules, formulas, and all other information the Chief Appraiser plans to introduce at the hearing will be made available at least 14 days before the scheduled hearing. If you require accommodations due to disability, please contact: (512) 834-9138.

7/15/2019

TEXAS TAX PROTEST

08/06/2019

7388

Order	PropID	CaseID	Nbhd	Owner	Situs	Market
1	189798	117195	53EAS	LIVE CINCO LLC	2705 E 5 ST	\$1,681,590
APPRAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
2	117672	80149	1SW2	CONDON JOHN K	6738 BEE CAVE RD	\$538,402
APPRAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						
3	133981	102787	81NOR	FERGUSON JAMES H	3701 NORTH HILLS DR	\$1,151,379
APPRAISED VALUE EXCEEDS MARKET, NOT EQUAL/UNIFORM WITH OTHERS						

## Debra Bawcom

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**From:** Debra Bawcom  
**Sent:** Wednesday, October 16, 2019 2:54 PM  
**To:** 'tcadarb@gmail.com'  
**Subject:** FW: Other Agents Board Orders  
**Attachments:** IMG\_2975.jpg

FYI – just so you know... we received a whole envelope full of board orders for another agency...

Thanks,  
Debra

Debra G. Bawcom  
[dgbawcom@texasprotax.com](mailto:dgbawcom@texasprotax.com)

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**From:** Jack Miguez  
**Sent:** Wednesday, October 16, 2019 2:06 PM  
**To:** Debra Bawcom; David Bawcom; Jeff Nanney  
**Cc:** Rine Kaatz; Gil Cowan; Dawn Brady Morris; Sharon Holmes  
**Subject:** Other Agents Board Orders

We received this today in a box with our Board Orders (we received one box and seven letter trays)

How many of our Board Orders went to other agencies?

**Jack A. Miguez**  
*Director of Operations*  
*Property Tax Consultant License #11668*  
8322 Cross Park Drive, Austin, TX 78754  
512.339.6671 ext. 235



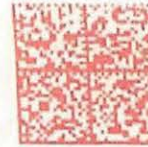


**NOTICE OF FINAL ORDER**

TRAVIS APPRAISAL REVIEW BOARD  
8314 CROSS PARK DR  
P.O. BOX 149012  
AUSTIN, TX 78714-9012



9214 7901 0835 4900 9889 95



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AUSTIN TX 78704

