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# Tax Deferral Affidavit Over-65 Homestead, Disabled Homeowner or Disabled Veteran

Account Number: \_\_\_\_\_

Tax Year: \_\_\_\_\_

If you are a homeowner age 65 or over, disabled or a disabled veteran you can defer, or postpone, paying delinquent property taxes on your homestead for as long as you own it and live in it. To postpone your tax payments, file a tax deferral affidavit with your appraisal district. The deferral applies to delinquent property taxes for all of the taxing units that tax your home.

You should be aware that a tax deferral only postpones payments, it does not cancel them. Interest will be added at the rate of 5% annually. Once you no longer own your home or live in it, all the taxes, penalties, and interest become due after 180 days and the taxing units may proceed with a lawsuit to collect delinquent taxes if the taxes remain unpaid.

**GENERAL INSTRUCTIONS:** This affidavit is used to obtain a tax deferral on the collection of residence homestead taxes pursuant to Tax Code Section 33.06. Homeowners seeking a deferral or surviving spouses seeking to continue a deferral should complete the appropriate affidavit below.

**NOTICE:** Your property may still be subject to collection or foreclosure actions arising from other debts or liens including, but not limited to, mortgages or home loans. The services of a competent professional should be sought to obtain assurance or guidance regarding your individual situation.

Owner's Name	Account Number
Telephone Number (area code and number)	Owner's Date of Birth ( <b>attach proof of age*</b> )

\*NOTE: You are required to give us a driver's license, personal I.D. certificate, or social security number on this form, in order to perform tax related functions for this office. Section 11.43 of the Tax Code authorizes this office to request this information to determine tax compliance. The chief appraiser is required to keep the information confidential and not open to public inspection, except to appraisal office employees who appraise property and as authorized by Section 11.48(b), Tax Code.

State of Texas

County of \_\_\_\_\_

Before me, the undersigned authority, personally appeared \_\_\_\_\_, who, being by me

Name of Affiant

duly sworn, deposed as follows:

My name is \_\_\_\_\_. I am of sound mind, capable of making this affidavit and personally

Name of Affiant

acquainted with the facts stated in this affidavit.

I am (check one):

- Age 65 or older
- A 55 or older surviving spouse
- Disabled (as defined by Tax Code Section 11.13(m))
- Disabled veteran (as qualified under Tax Code Section 11.22)
- Unmarried surviving spouse (as qualified under Tax Code Section 11.22)
- Surviving child (as qualified under Tax Code Section 11.22) younger than 18 years of age and unmarried (If the surviving child is a minor, the guardian of the minor shall execute the affidavit on the minor's behalf.)

I own and occupy as my residence homestead, the following property, or the following property was my residence homestead and the residence homestead of my deceased spouse at the time of my spouse's death:

\_\_\_\_\_  
Street Address or Legal Description of Residence Homestead property

My spouse qualified for and the collection of taxes has been deferred since before my spouse's death under Tax Code Section 33.06. I wish to continue this deferral.

I am the surviving spouse of \_\_\_\_\_ who died on \_\_\_\_\_ .  
Name of Deceased Spouse Date of Death

I was 55 years of age or older at the time of my spouse's death.

The facts contained in the affidavit are true and correct.

I hereby exercise my right under Texas Property Code Section 33.06 to defer or continue to defer collection of a tax on the residence homestead property described above until such time this property ceases to be my residence homestead. I understand a tax lien remains on the property and interest continues to accrue during the period collection of taxes is deferred under Tax Code Section 33.06. I also exercise my right under Section 33.06 to defer or abate any suit or pending sale\* to collect taxes on this property until such time it ceases to be my residence homestead.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ , \_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date of Birth

**SUBSCRIBED AND SWORN TO** before me on this

\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
My Commission Expires

\_\_\_\_\_  
Notary's Printed Name

\*NOTE: To abate a pending sale, the homeowner (or agent) must deliver this affidavit to the chief appraiser, to the tax collector for the taxing unit that requested the order of sale or the attorney representing the taxing unit for collecting delinquent taxes and also to the officer charged with selling the property not later than the fifth day before the sale date.

**If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.**