

Harris Central Appraisal District  
13013 Northwest Fwy.  
P. O. Box 922012  
Houston, TX 77292-2012  
(713) 812-5830  
33.065(05/2013)



**Tax Deferral Affidavit for Appreciating  
Residence Homestead Value for \_\_\_\_\_  
Year**

Owner's Name

Account Number

Telephone Number

THE STATE OF TEXAS  
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_  
\_\_\_\_\_, known to me and who, being by me duly sworn, on oath  
deposed and said:

"My name is \_\_\_\_\_ and I own and occupy as my  
residence homestead the following property:

Legal Description \_\_\_\_\_  
\_\_\_\_\_

Property Address \_\_\_\_\_

The above property is my principal residence and is qualified for a residence homestead  
exemption.

I hereby exercise my right pursuant to Property Tax Code Section 33.065 to defer or abate any  
suit to collect taxes on a portion of the tax due on this property until such time as it ceases to be  
my residence homestead. The tax deferred is the amount of tax imposed on the portion of the  
appraised value of my homestead that exceeds the market value of any new improvement plus  
105 percent of the homestead's appraised value in the preceding year. I understand that 8 percent  
interest per year will accrue on the deferred or abated tax. I also understand that the additional  
penalty for attorney fees (if applicable) is imposed only if the tax remains delinquent on or after  
the 91<sup>st</sup> day after the deferral or abatement ends."

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

SUBSCRIBED AND SWORN TO before me this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

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

# Deferral of Taxes on Increases in the Value of Residence Homesteads



Harris Central Appraisal District

If you are having trouble paying property taxes on your home this year, a little known recent state law on deferral of taxes may help. This law provides for postponing some of the taxes due on a principal residence if it is receiving a homestead exemption. If the law applies to you, by filing a special affidavit with the county appraisal district you can postpone paying taxes on a portion of the increase in your home's value. Taxes will continue to accrue and you will owe interest at the rate of 8% per year on the postponed tax amounts. However, taxing jurisdictions cannot sue you to collect the postponed taxes. The taxes will become due and must be paid within 30 days of the date you sell the property or no longer occupy it. You must also pay the remaining amount of your taxes on time every year to keep the tax benefit.

Finding out whether the new law will benefit you requires a little math. You need to compare your home's previous year's appraised value to this year's appraised value. If the value increased by more than 5% from last year to this year (excluding any improvements you added to the home between last year and this year), you can take advantage of the new law. The amount of tax you can defer depends on how great the increase was. Under the law, you can defer paying taxes on any amount of increase over 5%. For example, suppose your appraised value last year was \$100,000 and your appraised value this year is \$107,000. This represents a 7% increase. A 5% increase would have resulted in a value of \$105,000. The law allows you to pay taxes as if the home's value was \$105,000 and to defer paying taxes on the remaining \$2,000 of value. On the other hand, if your home's value increased 5% or less, the law doesn't apply to you.

If the appreciating residential tax deferral applies to you, you must do three things to take advantage of it:

1. Obtain the tax deferral affidavit from the appraisal district.
2. Complete the form, have it notarized, and return it to the district; and
3. Pay your current property taxes on all but the value over the 5% increase, before the February 1 delinquency date.

Taxpayers need to be careful about using this type of deferral. It would be best to contact the tax offices that sent your tax bills and determine how much you can legally defer. Be especially careful if you have a home mortgage. The mortgage company may have the right to foreclose if you don't pay your taxes on time. Finally, remember that deferred taxes don't go away. They continue to accrue and draw interest, and may cause an unexpected problem if you try to sell your home. The best plan would be to discuss your tax deferral option with both your mortgage company and local tax offices before filing the affidavit.