

Notice that Harris County Commissioners Court will consider entering into a Contingent Fee Contract for the Collection of delinquent property taxes that are owed to Harris County, the Harris County Flood Control District, the Harris County Hospital District d/b/a Harris Health System, the Port of Houston Authority, and Harris County Department of Education (“Taxing Entities”)

Pursuant to Section 2254.1036 of the Texas Government Code, Harris County provides the following notice:

At a hearing open to the public on September 24, 2019, during the regular session of Commissioners Court, the following item will be considered:

Request to retain the law firm of Linebarger Goggan Blair & Sampson, LLP as special counsel for the collection of delinquent ad valorem property taxes owed to Harris County, the Harris County Flood Control District, the Harris County Hospital District d/b/a Harris Health System, the Port of Houston Authority, and Harris County Department of Education (“Taxing Entities”) in accordance with Section 6.30 of the Texas Property Tax Code.

The following information is provided as required by statute:

The reasons for pursuing the matter that is the subject of the legal services for which the law firm would be retained and the desired outcome of pursuing the matter:

The County desires to enter into this contract for the collection of delinquent ad valorem property taxes owed to the Taxing Entities in the most effective and efficient manner. Property taxes are imposed by state law and are essential revenue for the operations of the Taxing Entities. The desired outcome is the collection of delinquent property taxes, penalties and interest owed to the Taxing Entities in an equitable manner.

The competence, qualifications, and experience demonstrated by the law firm:

The Linebarger Goggan Blair & Sampson, LLP firm is fully qualified to provide this representation, being the largest delinquent tax collection law firm in the State of Texas, as well as the United States, and having been engaged in this specialized legal service for more than 40 years. In addition, the Linebarger Goggan Blair and Sampson, LLP firm possesses infrastructure and technology, such as call center technology, that the Taxing Entities do not currently possess.

The nature of any relationship, including the beginning of the relationship, between the political subdivision or governing body and the law firm selected:

Linebarger Goggan Blair & Sampson, LLP has represented the Taxing Entities for the past 24 years in the collection of delinquent property taxes, beginning on July 1, 1995. Linebarger Goggan Blair & Sampson, LLP also represented Harris County in the collection of fees, fines, and other debts owed to the County in accordance with Chapter 284 of the Texas Transportation Code from January 14, 2004 through March 31, 2019. Linebarger Goggan Blair & Sampson, LLP represented the County in the collection of fines, fees and costs pursuant to Article 103 of the Code of Criminal Procedure beginning May 1, 2002.

The reasons the legal services cannot be adequately performed by the attorneys and supporting personnel of the political subdivision:

The services involve filing a high volume of cases each month and performing the services in-house would require the taxing units to invest in additional technology, personnel, and other resources to provide adequate support services incidental to the legal services including mailings, inbound and outbound phone calls, performing title searches, and locating delinquent taxpayers, that the Taxing Entities are not currently equipped to handle.

The reasons the legal services cannot be reasonably obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingency:

Linebarger Goggan Blair & Sampson, LLP will be compensated on a contingent fee basis as provided in the Texas Tax Code Sections 6.30, 33.07, 33.08, 33.11, and 33.48. These Texas Tax Code sections specifically provide for an additional penalty on delinquent taxes to compensate collection attorneys. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the Taxing Entities.

The reasons entering into a contingent fee contract for legal services is in the best interest of the residents of the political subdivision:

This contract will allow the Taxing Entities to recover delinquent property taxes, penalties and interest that are essential revenue for the Taxing Units to continue to function. Entering into the proposed agreement is in the best interests of the residents of the Taxing Units because the delinquent property taxes will be professionally and competently collected without the additional costs to Taxing Units of implementing infrastructure and technology, and employing in-house personnel or paying outside counsel on an hourly fee basis, which would otherwise be required.