



TREASURER-TAX COLLECTOR
SHARI L. FREIDENRICH
CPA, CCMT, CPFA, ACPFIM



Penalty Cancellation Requests Examples

The Treasurer-Tax Collector (“Treasurer”) is legally authorized to cancel penalties in limited circumstances. Below are three examples of requests that the Treasurer **may accept** if submitted for penalty cancellation, assuming certain legal requirements are satisfied. Please be advised that the Treasurer reviews requests on a case-by-case basis, and the examples below are for informational purposes only.

- 1. Sudden hospitalization of the taxpayer, which prevents the taxpayer from delivering payment.**
The Treasurer is authorized to cancel penalties where a taxpayer is prevented from delivering timely payment due to sudden, unexpected hospitalization
- 2. An earthquake or other natural disaster that disrupted mail and electronic delivery systems, thereby temporarily preventing timely delivery of payment.**
The Treasurer is authorized to cancel penalties where an earthquake or other natural disaster prevents a taxpayer from delivering payment on time.
- 3. Homeowners, small businesses and other property owners who have been directly impacted by COVID-19.**
The Treasurer is authorized to cancel penalties for homeowners, small business and other property owners who have been directly impacted by COVID-19. A COVID-19 Penalty cancellation form should be completed after the last timely deadline date has passed (i.e. April 12) and include all backup documents. Visit tfc.ocgov.com for details, then click on the COVID-19 Penalty Cancellation image. Request and payment need to be submitted by May 6, 2021.

Below are examples of requests that the Treasurer **will deny** if submitted for penalty cancellation review.

- 1. Requests that the Treasurer consider the taxpayer’s payment history.**
Under the Revenue and Taxation Code, the Treasurer does not have the authority to consider a taxpayer’s payment history, positive or negative, in determining whether to cancel penalties. Therefore, the Treasurer will deny a request to cancel a penalty based on a taxpayer’s request to consider the taxpayer’s prior timely payment history.
- 2. Requests related to the financial circumstances of the taxpayer, unrelated to COVID-19 that prevented the taxpayer from paying the amount due prior to the delinquency date.**
The Revenue and Taxation Code does not authorize the Treasurer to cancel penalties based due to financial circumstances that prevent timely payment. The Treasurer will deny a request to cancel a penalty based on the financial circumstances of a taxpayer that prevented the taxpayer from paying the amount due prior to the date of delinquency.
- 3. Requests based on an assertion that the taxpayer did not receive a property tax bill.**
The Treasurer will deny a request to cancel a penalty based on non-receipt of a property tax bill. The Revenue and Taxation code does not authorize penalty cancellation for failure to receive a tax bill. Duplicate copies of property tax bills are available on the Treasurer’s website at ocgov.com/octaxbill.
- 4. Requests based on failure to understand the property tax process.**
The Treasurer is not authorized to cancel a penalty based on a failure to understand the property tax process.