

# Harris County - Excess Funds Recovery Guide

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For MaxSam V4 - Automated Excess Funds Recovery System

## OVERVIEW

Harris County (Houston area) handles excess funds through the District Clerk's Accounting Section. When property is sold at a tax foreclosure sale for more than the tax obligation, the surplus is deposited with the Accounting Section. Former owners are notified and have 2 years to claim the funds through a court petition.

## KEY CONTACT INFORMATION

- | Contact | Details |
- | ----- | ----- |
- | Office | Harris County District Clerk - Accounting Section |
- | Address | 201 Caroline, Suite 170, Houston, TX 77002 |
- | Phone | (832) 927-5670 |
- | Email | [court.registry@hcdistrictclerk.com](mailto:court.registry@hcdistrictclerk.com) |

## NOTIFICATION PROCESS

Automatic Notification: Upon receipt of excess proceeds greater than \$25, a certified letter is sent to the former owner within 31 days of the sale.

## DEADLINE TO FILE CLAIM

2 YEARS from the date of the tax foreclosure sale.

If no petition is filed within this timeframe, funds are distributed to the taxing units.

## STEP-BY-STEP CLAIM PROCESS

### Step 1: Verify Excess Funds

- Email [court.registry@hcdistrictclerk.com](mailto:court.registry@hcdistrictclerk.com) to request listing
- Note: Applicable fees may apply for excess proceeds listing
- Confirm amount and sale date

### Step 2: Gather Required Documentation

- Deed showing ownership before judgment date
- Government-issued photo ID
- Proof of current address
- Relationship documentation (if heir)

### Step 3: Prepare Court Petition

Options:

- Hire a private attorney, OR
- Visit Harris County Law Library for self-help resources

Law Library Location: 1019 Congress, downtown Houston

### Step 4: File Petition

- Submit to Harris County District Court
- File under original cause number if available
- Pay required filing fees

### Step 5: Obtain Court Order

The signed court order must contain:

- Former owner's name
- Former owner's address
- Exact amount of excess proceeds to release

### Step 6: Submit Order for Payment

- Present signed court order to Accounting Section
- Funds released per judge's order

## REQUIRED DOCUMENTS

- [ ] Petition for Excess Proceeds
- [ ] Proof of ownership (deed from before judgment)
- [ ] Government-issued photo ID
- [ ] Proof of current mailing address
- [ ] Proof of relationship (if claiming as heir)
- [ ] Court filing fees
- [ ] Signed court order (for fund release)