

STATE OF FLORIDA
OFFICE OF THE COMPTROLLER
APPLICATION FOR REFUND

Section 215.26, Florida Statutes, states in part: "Applications for refunds as provided in this section shall be filed with the Comptroller, except as otherwise provided herein, within 3 years after the right to such refund shall have accrued else such right shall be barred." Three years is generally interpreted as meaning three years from the date of payment into the State treasury. The Comptroller has delegated the authority to accept applications for refund to the unit of State government which initially collected the money.

Pursuant to the provisions of Rule 3A-44.020, Florida Administrative Code, and Section 215.26, Florida Statutes, or Section 607, Florida Statutes, I hereby apply for a refund of moneys I paid into the State treasury, which are subject to refund. The following information is submitted to substantiate the claim.

Name: P.P. & P. Investments, Inc. EIN or SS#: 59-2984372

Address: ATTN: Nancy E. Palmer
415 W. Main St., Avon Park, FL 33825

Amount: \$385.00 Date Paid 08-18-97

Reason for claim: Overpayment of annual report.

L29676

T. Brumbley

Certified true and correct this 23rd day of September, 19 97.

Signature See attached for signature.

* Must be completed if authority is other than Section 215.26, Florida Statutes.

| For Agency Use Only | |
|---|---------------------------------------|
| Agency recommends approval of above claim and submits the following information to substantiate the claim: Amount of recommended refund \$ <u>385.00</u> | |
| The amount requested above was originally deposited into the State Treasury, as a part of the funds deposited on State Treasurer's Receipt No. <u>98192 005</u> dated <u>08-18-97</u> | |
| Name of Account | <u>45202130001453000000000010000</u> |
| Statutory Authority for Collection | <u>607</u> |
| It is requested that payment be made from the following account: | |
| NAME OF ACCOUNT: | <u>452021300014530000000022002000</u> |
| Certified true and correct this _____ day of _____, 19 _____ | |
| Department of State: Division of Corporations | (Authorized Signature and Title) |
| (Agency) | |

P.P. & P. Investments, Inc.
415 West Main St.
Avon Park, FL 33825
941-453-6688

Sept. 18, 1997

FL Dept. of State
Division of Corporations
PO Box 6327
Tallahassee, FL 32314

Dear Sirs:

On January 6, 1997, I mailed the Annual Report for our corporation along with our check #160 for \$165.00 to your office. I did not request a Certificate of Status or send it Certified Mail. P.P. & P. Investments, Inc. is a small corporation formed to develop one piece of property and as a result we write an average of 1 or 2 checks per month. We do not reconcile our checking account on a monthly basis, so did not notice that the check had not cleared until I received a "Second Notice" with penalty at the beginning of August. It was clearly stated that the law makes no provision for the waiving of the reinstatement fee and that our cancelled check would have been our only proof that we had filed our report in a timely manner. Since I had no cancelled check, I felt that I had no recourse but to refile the report and send the \$550 the notice said was due--my original report must have been lost in the mail (I thought).

On August 11, I sent a check for \$550 with another Annual Report. Today, I read in the newspaper (copy enclosed) that you experienced some computer problems during the first weeks of January and a number of corporations' Annual Reports and checks were not recorded. If this is true, I suspect that my report and check was among those destroyed. I have always been very careful to send these Annual Reports in immediately after receiving the notice, because we had to pay a penalty once before when the person handling the paperwork for this corporation failed to file on time.

I did not write to you about this when I received the Second Notice because I felt that it would do no good--I had no proof that I had mailed the original report. However, due to the circumstances, I feel that you should give some consideration to my appeal for a refund of the \$385 penalty that we paid.

Sincerely,

Nancy E. Palmer

Nancy E. Palmer