

January 4, 2007

Mr. Robert H. Herz
Chairman, Financial Accounting Standards Board
401 Merritt 7
P.O. Box 5116
Norwalk, CT 06856-5116



LETTER OF COMMENT NO. 156

Dear Chairman Herz:

On behalf of my company, Meritage Homes Corporation, I strongly urge the Financial Accounting Standards Board to delay the effective date of FIN 48 on *Accounting for Uncertainty in Income Taxes* to allow companies sufficient time to address the substantive, procedural, and documentation challenges posed by the new interpretation. Specifically, I recommend that the effective date of FIN 48 be deferred to fiscal years beginning after December 15, 2007.

The challenges of implementing FIN 48 were articulated by Tax Executives Institute in a letter it sent to you on December 12, 2006. Extending the deadline for implementing FIN 48 will permit companies and their independent auditors to resolve unanswered questions and thus reduce the likelihood of diversity in practice, which in part prompted the development of FIN 48 in the first instance.

From my own experience as the leader of an adhoc "FIN 48 Study Group" which I put together with other tax people from the major public companies here in Phoenix, I can tell you that we all are still very much operating in the dark. And, the relatively short timeframe given to implement such a far reaching and complex pronouncement is only compounding the confusion and hammering our nerves. In my thirty years of tax experience, this is the biggest burden ever thrust upon a public company tax department. The problems we encountered with the retracted FASB 96 and more recently SOX §404 compliance pale in comparison to the problems and exposures with FIN 48. We respectfully request more time to get it right.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter J. Hebert".

Peter J. Hebert
Vice President – Taxation
Meritage Homes Corporation

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