

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Treasurer Tax Collector

BOARD AGENDA #: *B-3

AGENDA DATE: May 17, 2016

SUBJECT:

Approve the Distribution of Excess Proceeds of \$134,305.50 From the November 13, 2014 Sale of Tax Defaulted Properties

BOARD ACTION AS FOLLOWS:

No. 2016-248

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended


2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Treasurer Tax Collector

BOARD AGENDA #: *B-3

Urgent Routine

G.B.F.

AGENDA DATE: May 17, 2016

CEO CONCURRENCE:



4/5 Vote Required: Yes No

SUBJECT:

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STAFF RECOMMENDATIONS:

1. Authorize the Auditor's Office to issue checks totaling \$134,305.50 per the list of claims for excess proceeds submitted in accordance with Revenue and Taxation Code Section 4675.

DISCUSSION:

Each year, the Treasurer-Tax Collector sells, at public auction, real property that has taxes unpaid for a period of five years. After the auction, the Treasurer-Tax Collector performs the following:

1. Records a deed for each parcel sold;
2. Notifies interested parties if excess proceeds exist;
3. Accepts claims for excess proceeds for a period of one year following the recording of the deed; and,
4. Subsequently recommends to the Board the distribution of any excess proceeds that have been claimed.

Fifty-six of the properties from the November 13, 2014 sale of tax defaulted property had excess proceeds. Fifty were disbursed per agenda item 2016-51 on January 26, 2016 and six were held for further research. Additional documents were needed in order to substantiate the claims. Four claimants have complied with the request for additional documentation and two still require further information.

The listed claims for excess proceeds from the November 13, 2014 sale of tax defaulted properties were submitted within a one year period and are provided for the Board of Supervisors' approval pursuant to Revenue and Taxation Code Section 4675.

These claims, which have been reviewed by both the Treasurer-Tax Collector and County Counsel, establish the claimant's rights to the excess proceeds and provide documentation. We recommend that the Board of Supervisors authorize the following excess proceeds distribution:

Approve the Distribution of Excess Proceeds of \$134,305.50 From the November 13, 2014 Sale of Tax Defaulted Properties

APN	Amount Available	Claimant	Claim Amount	Recommend
005-070-075-000	\$44,194.30	Global Discoveries on Behalf of Wells Fargo	\$44,194.30	\$44,194.30
		Global Discoveries on Behalf of Whispering Woods	\$44,194.30	\$0.00
2401 Prescott Rd, #2, Modesto		TOTAL	\$88,388.60	\$44,194.30
038-028-016-000	\$5,043.26	Commonwealth Recovery Services on behalf of Jose Corral	\$264,482.31	\$2,521.63
		Unclaimed Funds to Taxing Agencies	\$0.00	\$2,521.63
229 Rio Grande Ave, Modesto		TOTAL	\$264,482.31	\$5,043.26
056-046-053-000	\$34,736.87	Global Discoveries on behalf of Bank of the West	\$34,736.87	\$34,736.87
		Salvador Magana Vargas	\$34,736.87	\$0.00
617 Lassen Ave, Modesto		TOTAL	\$69,473.74	\$34,736.87
101-004-030-000	\$50,331.07	Global Discoveries on behalf of Wachovia Bank	\$50,331.07	\$50,331.07
		Global Discoveries on behalf of Jesus & Veronica Gonzalez	\$50,331.07	\$0.00
315 Linden St, Modesto		TOTAL	\$100,662.14	\$50,331.07
GRAND TOTAL				\$134,305.50

POLICY ISSUE:

This request is being made in accordance with Part 8, Chapter 1.3, Sections 4675 and 4676 of Revenue and Taxation Code, which outlines the process and requirements regarding the distribution of proceeds from the sale of tax-deeded property. The County has complied with the required provisions identified in this chapter.

FISCAL IMPACT:

There is no fiscal impact as this is a request to pay out funds held in trust since November 13, 2014.

BOARD OF SUPERVISORS' PRIORITY:

Approval of this agenda item will facilitate the effective distribution of excess tax sale proceeds and supports the Board's priority of Efficient Delivery of Public Services.

STAFFING IMPACT:

There is no staffing impact associated with this agenda item; existing staff will administer the distribution of excess proceeds.

CONTACT PERSON:

Gordon B. Ford, Treasurer-Tax Collector

Telephone: (209) 525-4463

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ATTACHMENT(S):

None