

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

DEPT: Treasurer Tax Collector

BOARD AGENDA #: \*B-7

AGENDA DATE: August 2, 2016

**SUBJECT:**

Approval to Sell Three (3) Tax-Defaulted Properties by Sealed Bid

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**BOARD ACTION AS FOLLOWS:**

No. 2016-395

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa  
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) X 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-7

Urgent  Routine

AGENDA DATE: August 2, 2016

*A.B.F.*

CEO CONCURRENCE: *pht*

4/5 Vote Required: Yes  No

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**SUBJECT:**

Approval to Sell Three (3) Tax-Defaulted Properties by Sealed Bid

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**STAFF RECOMMENDATIONS:**

1. Approval to sell tax-defaulted properties by sealed bid for the stated minimum price as described on the attached list, pursuant to Division 1, Part 6, Chapter 7 of the Revenue and Taxation Code.

**DISCUSSION:**

Secured real property becomes subject to the Tax Collector's power to sell five years from the date declared as tax defaulted. The purpose of offering tax-defaulted property at a tax sale is to collect the delinquent taxes, return the property to a revenue-generating status by conveying the property to another owner, and allow owners of contiguous parcels or easement holders the opportunity to augment existing property.

A sealed bid sale may be conducted when the tax-defaulted parcel is rendered unusable by virtue of its size, location, or other conditions, to owners of contiguous parcels or to predominant easement or right-of-way easement holders. A parcel qualifies for sealed bid sale if it cannot be independently developed without being combined with an adjoining property. The tax collector shall require that the successful bidder request the assessor and the planning director to combine the unusable parcel with his/her own parcel as a condition of sale (§3692(c)).

There are currently three parcels planned for sale, which may be redeemed by 5:00 p.m. the day prior to the sale (Tuesday, November 8, 2016). If any parcel has not been redeemed by this deadline, it will be offered for sale by sealed bid on Wednesday, November 9, 2016. If any parcel is not sold by sealed bid on November 9, 2016, then the parcel may be re-offered for sale within a 90-day period.

For sealed bid sales, the Tax Collector is the only officer authorized to determine the criteria used in establishing the minimum selling price (§3698.5(c)). Successful bids that are in excess of the original minimum bid amount result in excess proceeds which are subject to claim by certain parties of interest on a priority lien basis as specified by law under Revenue and Taxation Code Sections 4674 and 4675. After a period of one year, any unclaimed excess proceeds are apportioned to the respective taxing agencies. If a parcel is sold for an amount that is less than the total amount necessary to redeem taxes due, any unpaid County general

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taxes would be supplanted from the Tax Loss Reserve Fund and other assessments would be absorbed by the respective assessing agencies.

The pending sale of a tax-defaulted property may prompt the property owner to pay the outstanding amount due to satisfy the debt and prevent the sale. However, if the property owner does not pay the amount due prior to the date of the tax sale, the delinquent tax amount will be paid when the property is sold. The ultimate goal is to resolve the taxes due and ensure that these properties are generating tax revenue once again.

### **POLICY ISSUE:**

This request is being made in accordance with the provisions of Division 1, Part 6, Chapter 7 of Revenue and Taxation Code. The recommended action complies with the requirements of Revenue and Taxation Code 3694, wherein the sale of tax-defaulted properties may only take place if approved by the Board of Supervisors.

### **FISCAL IMPACT:**

Authorization to sell tax-defaulted properties will allow the County to recoup uncollected taxes on delinquent properties. The three parcels eligible for sealed bid sale represent a total minimum bid of \$6,200, which includes all delinquent taxes and fees. The amounts shown in the column "Minimum Bid" are rounded off to the nearest hundredth for practical and convenient purposes.

### **BOARD OF SUPERVISORS' PRIORITY:**

Approval of this agenda item will enable the recoupment of delinquent taxes due to the County and allow properties to once again generate revenue and supports the Board's priority of Efficient Delivery of Public Services.

### **STAFFING IMPACT:**

Existing staff within the Treasurer-Tax Collector's office will execute the administrative tasks associated with the sealed bid tax sale of tax-defaulted properties.

### **CONTACT PERSON:**

Gordon B. Ford, Treasurer-Tax Collector      Phone: (209) 525-4463

### **ATTACHMENT(S):**

1. List of Properties for Sealed Bid Auction

## ATTACHMENT 1

List of Properties for Sealed Bid Auction

LIST OF PROPERTIES FOR SEALED BID SALE

No.	Assessor's Parcel Number	Last Assessee (Lastname, Firstname)	Description (Situs address)	Default No. & Year of Default	Amount Due (incl. fees)	Minimum Bid
1	035-034-006-000	MORA, ANTHONY	0 TENAYA DR, MODESTO	110000684 2010/2011	\$ 1,671.15	\$ 1,700.00
2	037-040-034-000	WESTFALL, BRUCE W	COLORADO AVE, MODESTO	110000760 2010/2011	\$ 3,224.95	\$ 3,300.00
3	040-095-032-000	PPC NORWOOD VILLAGE LLC	0 NORWOOD HEIGHTS LN, CERES	110000929 2010/2011	\$ 1,140.61	\$ 1,200.00

\$ 6,036.71 \$ 6,200.00