

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

DEPT: Treasurer Tax Collector

BOARD AGENDA #: *B-9

AGENDA DATE: November 22, 2016

SUBJECT:

Approve the Distribution of Excess Proceeds of \$6,722.62 from the November 13, 2014 Sale of Tax Defaulted Properties

BOARD ACTION AS FOLLOWS:

No. 2016-577

On motion of Supervisor Withrow, Seconded by Supervisor O'Brien
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-9

Urgent

Routine

A.B.F.

AGENDA DATE: November 22, 2016

CEO CONCURRENCE: *ph*

4/5 Vote Required: Yes No

SUBJECT:

Approve the Distribution of Excess Proceeds of \$6,722.62 from the November 13, 2014 Sale of Tax Defaulted Properties

STAFF RECOMMENDATIONS:

1. Authorize the Auditor's Office to issue checks totaling \$5,885.37 per the list of claims for excess proceeds submitted in accordance with Revenue and Taxation Code Section 4675.
2. Authorize the Auditor's Office to apportion the balance of excess proceeds of \$837.25 to the appropriate agencies as identified on the list of claims.

DISCUSSION:

Each year, the Treasurer-Tax Collector sells, at public auction, real property for which taxes have gone 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 of Supervisors 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, four were disbursed per agenda item 2016-248 on May 17, 2016, and two were held for further research. The claimants needed to provide additional documents to substantiate their claims and have since complied with the request.

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 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 the necessary documentation to substantiate the claims. We recommend that the Board of Supervisors authorize the following excess proceeds distribution:

Approve the Distribution of Excess Proceeds of \$6,722.62 from the November 13, 2014 Sale of Tax Defaulted Properties

APN	AMOUNT AVAILABLE	CLAIMANT	CLAIM AMOUNT	RECOMMEND
035-040-025-000	\$2,847.55	Arthur Rossetti	\$222,800.00	\$2,847.55
419 S Conejo Ave, Modesto		TOTAL	\$222,800.00	\$2,847.55
086-004-022-000	\$3,875.07	Two Jinn Inc	\$2,821.75	\$2,821.75
		City of Modesto	\$216.07	\$216.07
		Unclaimed Funds to Taxing Agencies	\$837.25	\$837.25
909 Atlantic Dr, Modesto		TOTAL	\$3,875.07	\$3,875.07
GRAND TOTAL				\$6,722.62

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

ATTACHMENT(S):

None