

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

DEPT: Treasurer Tax Collector

BOARD AGENDA #: *B-6

AGENDA DATE: August 8, 2017

SUBJECT:

Approve the Distribution of Excess Proceeds of \$30,832.18 from the November 6, 2015 Sale of Tax-Defaulted Properties

BOARD ACTION AS FOLLOWS:

No. 2017-436

On motion of Supervisor Olsen, Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

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-6

Urgent Routine

JHR

AGENDA DATE: August 8, 2017

CEO CONCURRENCE:



4/5 Vote Required: Yes No

SUBJECT:

Approve the Distribution of Excess Proceeds of \$30,832.18 from the November 6, 2015 Sale of Tax-Defaulted Properties

STAFF RECOMMENDATIONS:

1. Authorize the Auditor-Controller's Office to issue checks totaling \$28,901.54 per the list of claims for excess proceeds submitted in accordance with Revenue and Taxation Code Section 4675.
2. Authorize the Auditor-Controller's Office to apportion the balance of excess proceeds of \$1,930.64 to the appropriate taxing agencies.
3. Authorize the Treasurer-Tax Collector to hold distribution of \$290,660.31 for three parcels for further research and review per County Counsel.

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.

Twenty-one of the properties from the November 6, 2015 sale of tax-defaulted property had excess proceeds. Sixteen were disbursed per agenda item 2017-99 on March 7, 2017 and five were held for further research. Additional documents were needed in order to substantiate the claims. Three parcels still require additional research and will be submitted to the Board at a later date.

The listed claims for excess proceeds from the November 6, 2015 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.

Approve the Distribution of Excess Proceeds of \$30,832.18 from the November 6, 2015 Sale of Tax-Defaulted Properties

These claims, which have been reviewed by both the Treasurer-Tax Collector and County Counsel, establish the claimants' 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:

APN	Amount Available	Claimant	Claim Amount	Recommend
038-038-021	\$ 15,387.09	City of Modesto	\$ 221.02	\$ 221.02
		Maria Castro	\$ 58,000.00	\$ 15,166.07
		Food Processors Credit Union	\$ 9,337.56	\$ -
606 Broadway Ave, Modesto		TOTAL	\$ 67,558.58	\$ 15,387.09
101-004-015	\$ 15,445.09	Laura J Cowings	\$ 15,445.09	\$ 7,722.54
		Wayne Cowings	\$ 3,861.27	\$ 3,861.27
		Ebony Cowings	\$ 3,861.27	\$ 1,930.64
		Peter Cowings II	\$ 1,930.64	\$ -
		Unclaimed Funds to Taxing Agencies	\$ 1,930.64	\$ 1,930.64
107 Laurel St, Modesto		TOTAL	\$ 27,028.91	\$ 15,445.09
\$ 30,832.18		GRAND TOTAL		\$ 30,832.18

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 associated with the recommended action as this is a request to pay out funds held in trust since November 6, 2015.

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:

Jegan L. Raja, Assistant Treasurer-Tax Collector

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ATTACHMENT(S):

None