

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

DEPT: Treasurer / Tax Collector

BOARD AGENDA: 5.B.5
AGENDA DATE: February 27, 2018

SUBJECT:

Approval of the Distribution of Excess Proceeds of \$173,666.26 from the November 10, 2016 Sale of Tax-Defaulted Properties

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0098

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

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

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

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AGENDA DATE: February 27, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of the Distribution of Excess Proceeds of \$173,666.26 from the November 10, 2016 Sale of Tax-Defaulted Properties

STAFF RECOMMENDATION:

1. Authorize the Auditor-Controller's Office to issue checks totaling \$172,298.44 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 \$1,367.82 to the appropriate taxing agencies.
3. Authorize the Treasurer-Tax Collector to hold distribution of \$236,372.75 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.

Nine of the properties from the November 10, 2016 sale of tax-defaulted property had excess proceeds. Six parcels are listed below. The decision for the claims of excess proceeds of \$236,372.75 for the remaining three parcels will be submitted later.

The listed claims for excess proceeds from the November 10, 2016 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 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
025-026-010	\$ 7,752.35	Michael Walker	\$ 7,752.35	\$ 3,876.18
		Beth Walker	\$ 7,752.35	\$ 3,876.17
9040 Morton Davis Dr, Patterson		TOTAL	\$ 15,504.70	\$ 7,752.35
035-038-018	\$ 757.11	Unclaimed Funds to Taxing Agencies	\$ 757.11	\$ 757.11
505 Kerr Ave, Modesto		TOTAL	\$ 757.11	\$ 757.11
040-095-032	\$ 610.71	Unclaimed Funds to Taxing Agencies	\$ 610.71	\$ 610.71
0 Norwood Heights Ln, Ceres		TOTAL	\$ 610.71	\$ 610.71
045-023-041	\$ 89,680.26	Stanislaus County Revenue Recovery	\$ 38,557.22	\$ 38,557.22
		Department of Health Care Services	\$ 112,870.06	\$ 51,123.04
		Unclaimed Financial on behalf of Dewaine N Parker	\$ 89,680.25	\$ -
5605 10th St, Keyes		TOTAL	\$ 241,107.53	\$ 89,680.26
056-019-051	\$ 44,860.62	Global Discoveries on behalf of Roman Sandoval	\$ 44,860.62	\$ 44,860.62
1744 Seattle St, Modesto		TOTAL	\$ 44,860.62	\$ 44,860.62
056-024-040	\$ 30,005.21	City of Modesto	\$ 377.62	\$ 377.62
		Brian Stout	\$ 30,005.21	\$ 14,813.80
		Gerald Stout Jr	\$ 30,005.21	\$ 14,813.79
1740 Las Vegas St, Modesto		TOTAL	\$ 60,388.04	\$ 30,005.21
\$ 173,666.26		GRAND TOTAL	\$ 173,666.26	\$ 173,666.26

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 10, 2016.

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 *Delivering Efficient Public Services and Community Infrastructure*.

STAFFING IMPACT:

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

CONTACT PERSON:

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