

Anton B. Ford

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

DEPT: Treasurer-Tax Collector

BOARD AGENDA # *B-5

Urgent

Routine

AGENDA DATE October 29, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approve the Distribution of Excess Proceeds of \$19,192.56 from the February 29, 2012 Sale of Tax-Defaulted Properties

STAFF RECOMMENDATIONS:

Authorize the Auditor's Office to issue checks totaling \$19,192.56 per the list of claims for excess proceeds submitted in accordance with Revenue and Taxation Code Section 4675.

FISCAL IMPACT:

There is no fiscal impact as this is a request to pay out funds held in trust since February 29, 2012.

BOARD ACTION AS FOLLOWS:

No. 2013-521

On motion of Supervisor Monteith, Seconded by Supervisor O'Brien

and approved by the following vote,

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

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:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

In February of each year, the Treasurer-Tax Collector sells, at public auction, real property that has taxes unpaid for a period of five years or more. 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 and verified.

Nine of the properties from the February 29, 2012 sale of tax defaulted property had excess proceeds. Six of the nine were disbursed per agenda item 2013-198 dated April 30, 2013; one of the three remaining was disbursed per agenda item 2013-428 dated August 27, 2013.

The remaining two claims for excess proceeds from the February 29, 2012 sale of tax defaulted property were submitted within one year period and are provided for the Board of Supervisor's 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:

APN	Excess Proceeds	Claimant	Amount Claimed	Total Amount Allowed
050-026-045-000	\$8,596.28	Philip C. Diorio	\$8,596.28	\$8,596.28
Total			\$8,596.28	\$8,596.28
050-026-047-000	\$10,596.28	Philip C. Diorio	\$10,596.28	\$10,596.28
Total			\$10,596.28	\$10,596.28

POLICY ISSUES:

The request is being made in accordance with Part 8, Chapter 1.3, Sections 4675 and 4676 of Revenue and Taxation Code. The County has complied with the required provisions of this chapter.

Approve the Distribution of Excess Proceeds of \$19,192.56 from the February 29, 2012 Sale of Tax-Defaulted Properties
Page 3

Approval of this agenda item will support the Board's priority of Efficient Delivery of Public Services.

STAFFING IMPACT:

There is no staffing impact associated with this agenda item.

CONTACT PERSON:

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