

Gordon A. Ford

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

DEPT: Treasurer-Tax Collector

BOARD AGENDA # *B-6

Urgent Routine

AGENDA DATE January 13, 2015

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Sell Tax-Defaulted Properties, to Re-offer Parcels for Sale, and to Re-offer the Parcels Which Remain Unsold at a New Sale Within 90 days of the Original Sale

STAFF RECOMMENDATIONS:

1. Authorize the Treasurer-Tax Collector to sell the tax-defaulted properties for the minimum bids as described on the attached list, shown as "List of Properties for Delinquent Tax Sale".
2. Authorize the Treasurer-Tax Collector to re-offer the parcels, which did not obtain the minimum bids during previous sale, at a price which is deemed appropriate by the Treasurer-Tax Collector.

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FISCAL IMPACT:

The sale may prompt the property owners to pay the amounts due before the sale as shown in the attachment. If the property owners do not pay the due amount before the date of the tax sale, the delinquent tax amount will be paid when the property is sold to the successful bidders. The ultimate goal is to get these properties revenue producing once again.

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BOARD ACTION AS FOLLOWS:

No. 2015-24

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith

and approved by the following vote,

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

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:

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

File No.

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STAFF RECOMMENDATIONS CONTINUED:

3. Authorize the Tax Collector to re-offer any parcels remaining unsold at the end of this auction including those that were offered at a reduced minimum price, at a new sale within 90 days of this auction date.

FISCAL IMPACT CONTINUED:

In the attached list shown as "List of Properties for Delinquent Tax Sale" the amount due is sufficient to pay the delinquent taxes, assessments and fees except item numbers 1, 2, 3, 4, 7, and 11 ("re-offered parcels"). The minimum bid amounts for the re-offered parcels will be less than the amounts due because these parcels were offered for sale at previous tax sale(s) and were not sold. The amounts shown in the column "Minimum Bid" are rounded off to the nearest hundredth for practical and convenient purposes. Any amount collected over and above the amount due during the tax sale may be claimed by parties of interest per Revenue and Taxation Code. Since the County will be offering six parcels for sale at a reduced minimum bid price, there may be a potential loss of \$245,933.71. This loss would be absorbed by the County and respective assessing agencies. The difference between the overall total amount due of \$794,133.71 as shown in the "Amount Due" and the amount of \$548,200.00 shown in the "Minimum Bid" column is due to the reduced minimum price and the rounding off to the nearest hundredth. If the property is sold for more than the reduced minimum bid, the amount will be applied to delinquent tax owed, and any excess proceeds may be claimed by the parties of interest.

DISCUSSION:

Pursuant to Section 3698 of the Revenue and Taxation Code, it is the intention of the Treasurer-Tax Collector to sell at public auction the tax-defaulted properties described in the attached list, shown as "List of Properties for Delinquent Tax Sale". The subject properties will be offered for a minimum bid, which covers the delinquency amount. The minimum bid covers the amount owing to the County except for the re-offered parcels and is noted in the list along with a description of said property and the name of the last assessee of record.

The re-offered parcels were offered for sale for the amounts due at previous tax sale(s) but did not sell. Therefore, the minimum bids are reduced due to the size and/or condition of the properties.

In accordance with the California Revenue and Taxation Code Section 3698.5(c), where the property or property interests have been offered for sale at least once and no acceptable bids have been received at the minimum price determined, the Tax Collector

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may, in his or her discretion and with the approval of the Board of Supervisors, offer that same property or those interests at the same or next scheduled sale at a minimum price that the tax collector deems appropriate in light of the most current assessed valuation of that property or those interests, or any unique circumstances with respect to that property or those interests.

Pursuant to Revenue and Taxation Code Section 3692(e), the Tax Collector may re-offer any properties remaining unsold within 90 days period from the tax sale date by notifying any new parties of interest in accordance with Revenue and Taxation Code Section 3701.

On approval of this tax sale by the Board of Supervisors, the sale is proposed to be held on Wednesday, March 25, 2015.

POLICY ISSUES:

This 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.

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 item.

CONTACT PERSON:

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

LIST OF PROPERTIES FOR DELINQUENT TAX SALE

No.	Assessor's Parcel Number	Last Assessee (Last Name, First Name)	Description (Situs address)	Default No. & Year of Default	Amount Due (incl. fees)	Minimum Bid
				080003526		
1	025-025-005-000	BANK OF STOCKTON	9421 MORTON DAVIS DR, PATTERSON	2007/2008	\$ 32,880.67	\$ 8,000.00
				080002220		
2	025-025-028-000	ORMONDE, STEVEN K	9220 FOXY CT, PATTERSON	2007/2008	\$ 43,565.88	\$ 9,000.00
				090004215		
3	025-041-007-000	WALT OXLEY ENTERPRISES INC	20321 PERRETT CT, PATTERSON	2008/2009	\$ 30,230.28	\$ 10,000.00
				090004216		
4	025-042-016-000	WALT OXLEY ENTERPRISES INC	20015 WILD BOAR PL, PATTERSON	2008/2009	\$ 31,014.18	\$ 11,000.00
				080004574		
5	038-035-024-000	GIL, RICARDO	933 ALAMO AVE, MODESTO	2007/2008	\$ 8,193.50	\$ 8,200.00
				070002299		
6	040-061-014-000	JACQUEZ, OFELIA	2504 MAUNA KEA DR, CERES	2006/2007	\$ 11,077.20	\$ 11,100.00
				090000049		
7	046-011-002-000	INDALEX INC	4555 NORTH STAR WAY, MODESTO	2008/2009	\$ 508,546.32	\$ 396,000.00
				080005859		
8	053-044-017-000	ADAMS, ROBERT J	1603 ISAIAH CT, CERES	2007/2008	\$ 19,399.85	\$ 19,400.00
				090000956		
9	055-032-046-000	THOMPSON, ERIC & THOMPSON, LISA	3861 SEMALLON DR, MODESTO	2008/2009	\$ 7,689.81	\$ 7,700.00
				070005480		
10	080-033-033-000	MALDONADO, TODD C	13743 YOSEMITE BLVD, WATERFORD	2006/2007	\$ 4,756.15	\$ 4,800.00
				090002971		
11	104-025-007-000	IB PROPERTY HOLDINGS LLC	215 H ST, MODESTO	2008/2009	\$ 64,899.01	\$ 31,000.00
				090003029		
12	106-043-011-000	GARCIA, MARK A & ANGELA M	900 G ST, MODESTO	2008/2009	\$ 26,780.47	\$ 26,800.00
				090003606		
13	132-017-027-000	ALBOR, ANTONIO	6412 2ND ST, RIVERBANK	2008/2009	\$ 5,100.39	\$ 5,200.00
					\$ 794,133.71	\$ 548,200.00