

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

401



**FROM:** Treasurer/Tax Collector

**SUBMITTAL DATE:**

April 18, 2005

**SUBJECT:** Adoption of Resolution # 2005-042 directing the continuation of the five-year period for tax-defaulted nonresidential commercial property.

**RECOMMENDED MOTION:** That the Board of Supervisors:

Approve and adopt Resolution #2005-042 authorizing the continuation of the five-year period for tax-defaulted Nonresidential Commercial Property in accordance with California Revenue and Taxation Code Section 3691 (B).

**BACKGROUND:** Assembly Bill 2144, effective January 1, 2005, amends California Revenue and Taxation Code Section 3691 requiring the County Tax Collector to attempt to sell tax-defaulted Nonresidential Commercial Property at Public Auction within 3 years after the property becomes tax-defaulted. This action would necessitate the creation of a split tax roll and in turn extensive enhancements to the current property tax computer system. The current property tax system does not identify residential and commercial properties in a manner that would be required to administer this new tax enforcement procedure.

Continued on Page 2

Paul McDonnell, Treasurer/Tax Collector

FORM APPROVED  
COUNTY COUNSEL

Departmental Concurrence

APR 28 2005

BY

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	NO
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2004-05

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE.

County Executive Office Signature

- Dep't Recomm.:  Consent  Policy
- Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.:

District:

Agenda Number:

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**BOARD OF SUPERVISORS**  
**FORM 11**  
**Page 2**

**BACKGROUND:** (Continued)

Assembly Bill 2144 contained a provision allowing a county board of supervisors to retain the current property tax enforcement procedures. The adoption of Resolution # 2005-042 and in accordance with California Revenue and Taxation Code Section 3691 (B) the Board would hereby approve the continuation of the five-year period for enforcement actions against tax-defaulted Nonresidential Commercial Property.

2  
3 RESOLUTION 2005-042  
4 APPLYING THE FIVE-YEAR TIME PERIOD  
5 FOR SALE OF TAX-DEFAULTED  
6 NONRESIDENTIAL COMMERCIAL PROPERTY

7 WHEREAS. Assembly Bill 2144, became effective January 1, 2005, this bill amends  
8 California Revenue and Taxation Code Section 3691 and will require the County Tax Collector to attempt to  
9 sell tax-defaulted Nonresidential Commercial Property at Public Auction within 3 years after the property  
10 becomes tax-defaulted; and

11 WHEREAS, the current tax-defaulted time period for all property is five years and this new  
12 legislation will create a split-roll for commercial properties in redemption; and

13 WHEREAS, this new tax-defaulted requirement will require extensive enhancements and  
14 improvement to the current property tax computer system and added expense to the County's General Fund;  
15 and

16 WHEREAS, the current property tax rolls do not identify residential and commercial  
17 properties and the Assessor's Roll would have to be enhanced to provide this information to the Tax  
18 Collector; and

19 WHEREAS, Assembly Bill 2144 allows a County to elect by Ordinance or Resolution, by a  
20 majority vote of the governing body, to have the five-year time period to continue to be applied to Tax-  
21 defaulted Nonresidential Commercial Property;

22 BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Supervisors of  
23 the County of Riverside, State of California, in regular session assembled on May 17, 2005, that:

24 Section 1. The above recitals are true and correct.

25 Section 2. The Board hereby approves the continuation of the five-year period for tax-  
26 defaulted Nonresidential Commercial Property in accordance with California Revenue and Taxation Code  
27 Section 3691 (B).