

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

764



FROM: Clerk of the Board

SUBMITTAL DATE: May 10, 2011

SUBJECT: Establishment of Filing fees for Assessment Appeals Applications

RECOMMENDED MOTION: That the Board adopt Resolution No. 2011-139 establishing a refundable filing fee for Assessment Appeals Application, for Residential and Commercial Properties within the County of Riverside.

BACKGROUND: On May 3, 2011, the Board considered approval of Resolution 2011-053 which proposed a non-refundable \$30.00 filing fee for Assessment Appeals applications.

Upon review and recommendation of the Board, the Resolution has been revised to indicate that the \$30.00 fee will be refundable within 30 days if the applicant prevails in obtaining a reduction in assessed property value at the hearing.

Kecia Harper-Ihem
Kecia Harper-Ihem, Clerk of the Board

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:
	Annual Net County Cost:	\$ 0	For Fiscal Year: 2011/2012

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

C.E.O. RECOMMENDATION:

APPROVE

BY: *Lahi Sioson*
Lahi Sioson

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District:

Agenda Number:

3.5

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: *[Signature]*
 RUSSELL S. DOMINSKI 5-16-11
 FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]*
 SARAH MCKENNA

2 RESOLUTION NO. 2011-139
3 AMENDING THE RULES OF NOTICE AND PROCEDURE
4 OF THE ASSESSMENT APPEALS BOARDS OF THE COUNTY OF RIVERSIDE

5 WHEREAS, Article XIII, Section 16 of the California Constitution empowers county
6 boards of supervisors to adopt rules of notice and procedure for assessment appeals boards as may be
7 required to facilitate their work and to insure uniformity in the processing and decision of equalization
8 petitions; and,

9 WHEREAS, the Board of Supervisors has adopted the Rules of Notice and Procedure of
10 the Assessment Appeals Boards of the County of Riverside ("Rules of Notice and Procedure") to guide
11 parties in proceedings before the Assessment Appeals Boards; and,

12 WHEREAS, the Board of Supervisors has determined it is appropriate to establish a filing
13 fee to recover costs incurred by the Clerk of the Board in processing applications for changed
14 assessment; and,

15 WHEREAS, the Clerk of the Board has proposed a fee amount that is reasonable and
16 applied in a uniform manner; now therefore,

17 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
18 Supervisors of the County of Riverside, in regular session assembled on May 17, 2011, that a new
19 subsection (e) is added to Rule 6 of the Rules of Notice and Procedure to read as follows:

1. Rule No. 6
APPLICATION FOR CHANGED ASSESSMENT

"(e) FILING FEE

The Applicant shall pay a \$30.00 fee at the time of filing an application, which shall be refunded within 30 days of the hearing date if the Applicant prevails. "Prevail" shall mean any change in assessed value made by the Board in favor of the Applicant.

Applications submitted without the filing fee shall not be processed, and the Clerk shall notify the Applicant within 30 days of the date of application submission that the filing fee is required. The Clerk's notice shall be effective upon dispatch in the U.S. mail to the Applicant's address as reflected on the application. If the Applicant fails to submit the filing fee within 30 days of dispatch of said notice, the application shall be invalid. The filing fee may be waived where the Applicant

FORM APPROVED COUNTY COUNSEL
BY: [Signature] DATE: 5/18/11

would qualify for a waiver of court fees and costs pursuant to Government Code section 68632.”

2. Existing subsections (e), (f), (g) and (h) of Rule No. 6 are re-lettered subsections (f), (g), (h) and (i) respectively.

BE IT FURTHER RESOLVED by the Board that the foregoing fee shall apply to applications for changed assessment filed on or after July 1, 2011.