

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

13



FROM: Don Kent, Treasurer-Tax Collector

SUBMITTAL DATE: JUN 2 3 2016

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 200, Item 566. Last assessed to: Toribio Beltran and Maria Esther Beltran, husband and wife as joint tenants. District 4 [\$1,133]. Fund 65595 Excess Proceeds from Tax Sale.

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

1. Approve the claim from the State of California, Employment Development Department for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 721202014-7;

(continued on page two)

#### **BACKGROUND:**

#### Summary

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, The Tax Collector conducted the April 29, 2014 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 20, 2014. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on July 16, 2014, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of lot book reports as well as Assessor's and Recorder's records, and various research methods were used to obtain current mailing addresses for these parties of interest. (continued on page two)

Don Kent

Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)	
COST	\$ 1,133	3 \$ 0	\$ 1,133	\$ 0	Concept Delieu M	
NET COUNTY COST	\$ (	\$ 0	\$ 0	\$ 0	Consent ☐ Policy <	
SOURCE OF FUND	<b>DS:</b> Fund 65595	Excess Proceeds fr	om Tax Sale	Budget Adjustr	nent: N/A	
				For Fiscal Year	: 16/17	
C.E.O. RECOMME	NDATION:	APPROVE	24			

County Executive Office Signature

Samuel Wong

		MINUTES OF THE B	OARD OF SUPERVISORS
Positions Added	Change Order		
A-30	4/5 Vote		
		Prev. Agn. Ref.: District:	4 Agenda Number:

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 200, Item 566. Last assessed to: Toribio Beltran and Maria Esther Beltran, husband and wife as joint tenants. District 4 [\$1,133]. Fund 65595 Excess Proceeds from Tax Sale.

**DATE: JUN 2 3 2016 PAGE:** Page 2 of 2

#### RECOMMENDED MOTION:

- 2. Authorize and direct the Auditor-Controller to issue a warrant to the State of California, Employment Development Department in the amount of \$1,133.59, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675;
- 3. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$1,133.58 to the county general fund pursuant to Revenue and Taxation Code Section 4674.

#### BACKGROUND:

#### Summary (continued)

Revenue and Taxation Code 4676 (b) states that the county shall make reasonable effort to obtain the name and last known mailing address of the parties of interest. Then, if the address of the party of interest cannot be obtained, the county shall publish notice of the right to claim excess proceeds in a newspaper of general circulation in the county as per Revenue and Taxation Code 4676 (c). The Treasurer-Tax Collector's Office has made it a policy to take the following actions to locate the rightful party of the excess proceeds.

- Examined title reports to notify all parties of interest attached to the parcel.
- Researched all last assessee's through the County's Property Tax System for any additional addresses.
- Used Accurint (people finder) to notify any new addresses that may be listed for our last assessees.
- Advertised in newspapers for three consecutive weeks in the Desert Sun, Palo Verde Valley Times and the Press Enterprise referring any parties of interest to file a claim for the excess proceeds.
- Sent out a certified mailing within 90 days as required by Revenue and Taxation Code 4675.

According to Revenue and Taxation Code 4675 (a) Any party of interest in the property may file with the county a claim for the excess proceeds, in proportion to his or her interest held with others of equal priority in the property at the time of the sale, at any time prior to the expiration of the one year following the recordation of the Tax Collector's deed to the Purchaser, which was recorded on June 20, 2014.

The Treasurer-Tax Collector has received one claim for excess proceeds:

1. Claim from the State of California, Employment Development Department based on an Abstract of Judgment recorded April 14, 2010 as Instrument No. 2010-0171892.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the State of California, Employment Development Department be awarded excess proceeds in the amount of \$1,133.59. Since there are no other claimants the unclaimed excess proceeds for Maria Esther Beltran's portion in the amount of \$1,133.58 will be transferred to the county general fund. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

#### Impact on Citizens and Businesses

Excess proceeds are being released to a lien holder and transferred to the county general fund.

#### ATTACHMENTS (if needed, in this order):

A copy of the Excess Proceeds Claim form and supporting documentation are attached.



### RECEIVED

2014 JUL 28 PM 4: 34

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

July 23, 2014

RIVERSIDE COUNTY TREASURER P.O. BOX 12005 RIVERSIDE, CA 92502-2205 Attn.: EXCESS PROCEEDS

#### **EXCESS PROCEEDS FROM SALE OF TAX-DEFAULTED PROPERTY**

Item No.: 566

**EDD Account:** 

Last Assessee: TORIBIO BELTRAN

Enclosed is the completed Statement of Claim for Excess Proceeds from the sale of tax defaulted property for APN::721202014-7

To ensure proper credit to the account, please note the EDD account number listed above on the payment. Send payment to:

> **CASHIER-BENEFIT RECOVERY EDD** PO BOX 826806 **SACRAMENTO CA 94206**

If you have any questions concerning the claim form, you may contact me at (916) 464-1006 .

Sincerely,

K. Christ

Department Representative

Enclosure

#### CLAIM FOR EXCESS FROM THE SALE OF TAX-DEFAULTED PROPERTY

# COUNTY OF RIVERSIDE, TREASURER-TAX COLLECTOR PO BOX 12005

RIVERSIDE, CA 92502-2205 Attn: TAX COLLECTION DIVISION

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**TORIBIO BELTRAN** 

APN NO .:

721202014-7

ITEM NO.:

566

SALE DATE .:

APRIL 29, 2014

Claimant:

EMPLOYMENT DEVELOPMENT DEPARTMENT

Reference No.:

Address:

PO BOX 826218, SACRAMENTO, CA 94230-6218

Phone No.:

(916) 464-1006

The following amounts were secured by a Deed of Trust or lien on the above-referenced property immediately prior to the Tax Collector's Power of sale for non-payment of taxes, and these amounts remain outstanding to this date:

\$ 1,485.90
\$ 439.20
\$ 339.25
\$ 764.00
\$ <u>1,500.35</u>
\$ \$ \$

$\boxtimes$	Document evidencing the claim (Attached)
	The claim has been fully released (Attached)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated July 23, 2014

Signature

K. Christ, Department Representative

## STATE OF CALIFORNIA COUNTY OF SACRAMENTO

On July 23, 2014 before me, **J. FAHLMAN**, Deputy Clerk, personally appeared **K. CHRIST**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Fahlman

[Seal]



#### S100307006

#### RECORDING REQUESTED BY:

STATE OF CALIFORNIA
EMPLOYMENT DEVELOPMENT DEPARTMENT
BENEFIT OVERPAYMENT COLLECTION
SECTION, MIC 91
P.O. BOX 826218, SACRAMENTO, CA 94230-6218
TELEPHONE NO: 1-800-676-5737

### WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
EMPLOYMENT DEVELOPMENT DEPARTMENT
BENEFIT OVERPAYMENT COLLECTION
SECTION, MIC 91
P.O. BOX 826218, SACRAMENTO, CA 94230-6218

DOC # 2010-0171892 X
04/14/2010 08:00A Fee:NC
Page 1 of 3
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

OS OS

ABSTRACT OF JUDGMENT

X

DOCUMENT TITLE

SEPARATE PAGE, PURSUANT TO GOVT. CODE 27361.6

Public Record

rder: Non-Order Search Doc: RV:2010 00171892

	EJ-UL	11		
ATTORNEY OR PARTY WITHOUT ATTORNEY (Nam telephone number): 1-800-676-5737	ne, address. State Bar number, and S100307006			
Recording requested by and return to:				
STATE OF CALIFORNIA, EMPLOYMEN	NT DEVELOPMENT DEPARTMENT			
BENEFIT OVERPAYMENT COLLECTION OF THE BOO CAPITOL MALL, P.O. BOX 826218				
ATTORNEY X JUDGA	ITOR RECORD			
SUPERIOR COURT OF CALIFORNIA, COU	NTY OF SACRAMENTO	1	FOR RECORDER'S USE ONLY	
STREET ADDRESS: 720 NINTH STREET,	ROOM 104		7 division and the second	$\neg \neg$
MAILING ADDRESS: 720 NWTH STREET.				
CITY AND ZIP CODE: SACRAMENTO, CA	- LIMITED CIVIL	*		
BRANCH NAME: SACRAMENTO	IFORNIA, EMPLOYMENT DEVELO	PMENT DEPARTMENT	CASE NUMBER:	
PLAINTIFF: STATE OF CAL DEFENDANT: TORIBIO BELT			34-2010-90007006	
J			FOR COURT USE ONLY	
ABSTRACT OF JUDGME	-141 - 0141-	Amended	7 57 555 77 555 575	
AND SMALL CLA	IMS		_	
	Tassiana of sport			1
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	and topi occurred to		lei .	1
a. Judgment debtor's Name and las	known address	1	II.	
TORIBIO BELTRAN	· ·	ļ		
65100 DATE PALM AVE	APT K101			
MECCA CA 92254-6616				
L		X Unknown	1	
b. Driver's license no. [last 4 digits]		Unknown	1	
c. Social security no. [last 4 digits]	; :=to: otata iudament was personally s			
<li>d. Summons or notice of entry of s mailed to (name and address):</li>	ister-state judgment was personally s (Same as line 1.a. above)	<b>4.133</b>		
The state of the state of		Information on addition	al judgment	
Information on additional debtors is shown on page.	e 2.	creditors is shown on p	rage 2.	×
3 Aludoment creditor (name and addre	ess): 5. L.	Original abstract record a. Date:	ded in this county.	
State of California Employment Development Depa		b. Instrument No.:		
P.O. Box 826218, Sacramento, C	A 92430-6218			
		· 0 a	20	
Date: 3/30/2010		$\sim$ $\sim$ $\sim$ $\sim$	Sen	
S. Allen		15	IGNATURE OF APPLICANT OR ATTORNEY)	
(TYPE OR PRINT N	AME)			
6. Total amount of judgment as entere	ed or last renewed:	10,	execution lien attachment lien	
\$ \$1,006,15			on the judgment as follows:	
7. All judgment creditors and debtors	are listed on this abstract.	a. Amount: 1		
		b. In favor of	(name and address):	
8. a. Judgment entered on (date): 03	<i>y</i> 30/10			
b. Renewal entered on (date):		11. A stay of enforcement		
<ol> <li>This judgment is an installing</li> </ol>	ient judgment.		ordered by the court.	
			ered by the court effective until	
(SEAL)		(date):		
(0)(81 (1)		12. a. X I certify the	nat this is a true and correct abstract of	
			nent entered in this action.	
		b A certifie	d copy of the judgment is attached.	
	This abstract issued on (date):			
		1		
HA	03/30/10		. /	
W TACEA		Clerk, by	<b>N</b>	, Deputy
	ADSTRACT OF	JUDGMENTCIVIL	Code of Crui Pr	Page 1 of rocedure 55 488 480
Form Adopted to Mandatory User Judicial Council of Catherna Council Day Industry 1, 20081	AND ST	MALL CLAIMS		674, 700 19 Amorican Legishiri Ir
EJ-001 [Rev. January 1, 2008]	7,40 31	(		w.FormsWorkflow.co

Public Record Page 2 of 3

Order: Non-Order Search Doc: RV:2010 00171892

	OF ADDITIONAL JUDGMENT		
13. Judgment creditor (name	e and address):	14. Judgment creditor (name and	address):
	2		
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15. Continued on Attac			
INFORMATION ON ADDITION	DNAL JUDGMENT DEBTORS:		
16 Name and	d last known address	17. Name and last l	unown address
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Social security no. [last			•
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18. Name an	d last known address	19. Name and last	known address
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20. Continued on Atta	omacu 20.		
		181	

Order: Non-Order Search Doc: RV:2010 00171892

### **Account Reconciliation 07/23/14**

Li	ability Amount
L	\$1,485.90 reJudg.Interest
[	\$41.25
C	osts
	\$298.00
In	terest
	\$439.20
CI	redits/Payments
Ļ	\$764.00
A	mount Due
L	\$1,500.35
Dr.	

Date	Code	Credits	<b>Debits</b>	Transaction Detail
03/18/09	00		\$993.20	Overpayment
06/03/09	01	-\$260.00		Benefit Offset
10/26/09	00		\$492.70	Overpayment
03/30/10	00		\$25.00	Court Costs
03/30/10	36	(90)	\$13.00	Court Costs
03/30/10	00		\$205.00	Court Costs
03/30/10	00		\$26.60	PreJudgment Interest
04/01/10	00		\$0.27	Interest
05/05/10	00		\$4.65	Interest
06/01/10	00		\$3.69	Interest
07/01/10	00		\$8.27	Interest
08/02/10	00		\$8.82	Interest
09/03/10	00		\$8.82	Interest
10/01/10	00		\$7.72	Interest
11/01/10	00		\$8.55	Interest
12/31/10	00		\$25.00	Court Costs
12/31/10	00		\$16.54	Interest
01/03/11	00		\$0.85	Interest
01/07/11	00		\$30.00	Court Costs
02/01/11	00		\$8.40	Interest
03/01/11	00		\$8.14	Interest
04/11/11	00		\$11.92	Interest
05/02/11	00		\$6.11 \$6.70	Interest
06/01/11	00		\$8.72	Interest
07/01/11	00 00		\$8.72	Interest
08/01/11	00		\$9.01	Interest
09/01/11	00		\$9.01	Interest Interest
10/03/11 11/01/11	00		\$9.31 \$8.43	Interest
12/24/11	00		\$15.41	Interest
01/03/12	00		\$2.91	Interest
02/01/12	00		\$8.43	Interest
03/01/12	00		\$8.43	Interest
04/02/12	00		\$9.31	Interest
05/01/12	00		\$8.43	Interest
06/01/12	00		\$9.01	Interest
07/03/12	00		\$9.31	Interest
08/01/12	00		\$8.43	Interest
09/04/12	00		\$9.89	Interest
10/01/12	00		\$7.85	Interest
11/01/12	00		\$9.01	Interest
12/04/12	00		\$9.60	Interest
01/02/13	00		\$8.43	Interest
02/01/13	00		\$8.72	Interest
03/01/13	00		\$8.14	Interest
04/02/13	00		\$9.31	Interest
05/01/13	00		\$8.43	Interest
06/03/13	00		\$9.60	Interest
07/02/13	00		\$8.43	Interest
08/01/13	00		\$8.72	Interest
			<i>+</i>	

### **Account Reconciliation 07/23/14**

09/03/13	00	\$9.60	Interest
10/01/13	00	\$8.14	Interest
11/01/13	00	\$9.01	Interest
12/03/13	00	\$9.31	Interest
01/03/14	00	\$9.01	Interest
02/04/14	00	\$9.31	Interest
03/04/14	00	\$8.14	Interest
04/01/14	00	\$8.14	Interest
05/01/14	00	\$8.72	Interest
06/02/14	00	\$9.31	Interest

	Î				
	i	SENDER: COMPLETE THIS SE	ECTION	COMPLETE THIS SECTION ON DELIVERY	
		<ul> <li>Complete items 1, 2, thd 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature  X. M. Stove	
	Ī	1. Article Addressed to:		D. Is delivery address different from item 1?  Yes  If YES, enter delivery address below:  No	
November 10, 2015  Employment Development Department		Employment Development Department PO Box 826218 Sacramento, CA 94230-6218 EP 200-566		3. Service Type  Certified Mail  Registered  Receipt for Merchand	
	x 826218 nento, CA 94230-6218			☐ Insured Mail ☐ C.O.D.  4. Restricted Delivery? (Extra Fee) ☐ Yes	
Sacran	icito, CA 94230-0218	2. Article Number			
Re:	APN: 721202014-7 TC 200 Item 566	(Transfer from service label)	7015 0	640 0006 3626 4400	
This of		laim for excess proceeds fro	10	ntioned tax sale. The	
		oof to establish your right assist the Tax Collector in			
Pe Pr No di No cl: Ce	otarized Affidavit for Collersonal Property under Calcobate Code 13100 otarized Statement of fferent/misspelled otarized Statement Giving aim on behalf of ertified Death Certificate for the copy of Birth Certificates for	Authorization to	Original Note  Vipdated Sta  (as of date of Articles of In  Statement by  Court Order	riage Certificate for e/Payment Book tement of Monies Owed of tax sale) corporation (if applicable Domestic Stock) Appointing Administrator aim/Grant etc)	
	send in all documents with me at the number listed b		<b>2015</b> ). If you sho	ould have any questions, please	
Sincere	ely,	j			

Jennifer Pazicni Tax Sale Operations Unit (951) 955-3336 (951) 955-3990 Fax jpazicni@RivCoTTC.org

	5. V - 2.500 H	Constant of the last of the la
	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
,	<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> </ul>	X □ Addresse
	Attach this card to the back of the mailpiece, or on the front if space permits.	DB. (c. Date of Deliver
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	Employment Development Department PO Box 826218	
March 30, 2016	Sacramento: CA 94230-6218	
	EP 200.5do	3. Service Type ☐ Priority Mail Express®
Employment Development Depa PO Box 826218	9590 9401 0074 5168 3706 31	☐ Adult Signature     ☐ Adult Signature Restricted Delivery     ☐ Certified Mail®     ☐ Certified Mail Restricted Delivery     ☐ Collect on Delivery     ☐ Collect on Delivery Restricted Delivery     ☐ Collect on Delivery Sestricted Delivery     ☐ Collect on Delivery Sestricted Delivery     ☐ Collect on Delivery Sestricted Delivery
Sacramento, CA 94230-6218	2. Article Number (Transfer from service label) 7015 0640 0006 1626 4660	☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500) ☐ Collect on Delivery Restricted Delivery (over \$500)
Re: APN: 721202014-7 TC 200 Item 566 Date of Sale: April 29, 2	PS Form 3811, April 2015 PSN 7530-02-000-9053	Domestic Return Receip
To Whom It May Concern:		
, · · · · · · · · · · · · · · · · · · ·	laim for excess proceeds from the above-mend is insufficient to establish your claim.	ntioned tax sale. The
	oof to establish your right to claim the exc assist the Tax Collector in making the dete	
Notarized Affidavit for Coll	ection of Copy of Mari	riage Certificate for
Personal Property under Cal	liforniaOriginal Note	/Payment Book
Notarized Statement of	(as of date of	
different/misspelled Notarized Statement Giving		corporation (if applicable Domestic Stock)
claim on behalf of	Court Order	Appointing Administrator
Certified Death Certificate for Copy of Birth Certificates for Copy of Birth Certificates		nim/Grant etc)
If your documentation is not re	eceived within 15 days (April 14, 2016), yo	ur claim will be denied.
1	, please contact me at the number listed belo	
Sincerely,		
• •		

Jennifer Pazicni Tax Sale Operations Unit (951) 955-3336 (951) 955-3990 Fax jpazicni@RivCoTTC.org

#### Pazicni, Jennifer

From:

Christ, Kali@EDD < Kali.Christ@edd.ca.gov>

Sent:

Thursday, April 28, 2016 7:19 AM

To:

Pazicni, Jennifer

Subject:

RE: Excess Proceeds (EP 200-566)

Good morning,

There has been no changes to amount that we had requested on the original claim form.

Kali Christ

EDD Benefit Overpayment Collection Section

PJ Customer Service Group

Phone: 916-431-6822 Fax: 916-464-2477

**From:** Pazicni, Jennifer [mailto:JPazicni@RivcoTTC.orq]

Sent: Wednesday, April 27, 2016 2:20 PM

To: Christ, Kali@EDD

**Subject:** Excess Proceeds (EP 200-566)

Good afternoon-

I am told you are whom I would need to speak with in regards to getting an updated statement of money owed for parcel 721202014-7. The lien is against Toribio Beltran, EDD Account # 620018388. The last documentation I have lists the amount due to the State of California, Employment Development Department as \$1,500.35. Please let me know if that amount has changed since we received your claim in July of 2014. I have attached a copy of the original claim that I received. Please send an updated statement on money owed as soon as possible. Once received, I will be able to complete my recommendations for disbursement of these funds. Please let me know if you have any questions.

Thank you,

Jennifer Pazicni Riverside County Treasurer-Tax Collector's Office Tax Sale Operations/Excess Proceeds 951 955-3336 jpazicni@RivCoTTC.org