

FORM APPROVED COUNTY COUNSEL 7/19/15  
 BY: GREGORY P. PRIAMOS DATE

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

554A



**FROM:** Don Kent, Treasurer/Tax Collector

**SUBMITTAL DATE:**

JUL 08 2015

**SUBJECT:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 185, Item 185. Last assessed to: Coral Lyn Kassel, Successor Trustee of the Kassel Family Trust Survivor's Trust "A" dated June 7, 1989. District 4 [\$0].

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

- Deny the claim from Wayne Guralnick, attorney for Mesquite Country Club Condo, HOA for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 502312062-9;

(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 March 16, 2010 public auction sale. The deed conveying title to the purchasers at the auction was recorded April 26, 2010. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on June 3, 2010, 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*

Don Kent  
 Treasurer-Tax Collector

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

<b>SOURCE OF FUNDS:</b>	Budget Adjustment: N/A
	For Fiscal Year: 15/16

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

APPROVE

BY: *Samuel Wong*  
 Samuel Wong

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: July 21, 2015  
 xc: Treasurer

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *Kecia Harper-Ihem*  
 Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.:

District: 4

Agenda Number:

9-9

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

**FORM 11:** Recommendation for Distribution of Excess Proceeds for Tax Sale No. 185, Item 185. Last assessed to: Coral Lyn Kassel, Successor Trustee of the Kassel Family Trust Survivor's Trust "A" dated June 7, 1989. District 4 [\$0].

**DATE:** JUL 08 2015

**PAGE:** Page 2 of 2

**RECOMMENDED MOTION:**

2. Deny the claim, 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 \$94,155.41 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 parties of interest.
- Used Accurint (people finder) to notify any new addresses that may be listed for our parties of interest.
- 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 April 26, 2010.

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

1. Claim from Wayne Guralnick, attorney for Mesquite Country Club Condo, HOA based on a Notice of Default and Election to Sell Pursuant to Assessment Lien and the Provisions of the Declaration of Restrictions recorded on September 21, 2009 as Instrument No. 2009-0489627.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Wayne Guralnick, attorney for Mesquite Country Club Condo, HOA be denied since they have withdrawn their claim. Since there are no other claimants the unclaimed excess proceeds in the amount of \$94,155.41 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**

The excess proceeds are being 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.

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY  
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer and Tax Collector

Re: Claim for Excess Proceeds

TC 185 Item 185 Assessment No.: 502312062-9

Assessee: KASSEL, CORAL LYN TR

Situs: 2701 E MESQUITE AVE NO E162 PALM SPRINGS

Date Sold: March 16, 2010

Date Deed to Purchaser Recorded: April 26, 2010

Final Date to Submit Claim: April 26, 2011

RECEIVED  
2010 JUL 14 AM 11:35  
RIVERSIDE COUNTY  
TREAS - TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$10,490.63 from the sale of the above mentioned real property. I/We were the  lienholder(s),  property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2009-0487627; recorded on 9-21-2009. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.


NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tentants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 13<sup>th</sup> day of July, 2010 at Riverside County, California  
County, State

  
\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Signature of Claimant

WAYNE GURALNICK  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

40004 Cook St. Ste. 3  
\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

Palm Desert, Ca. 92211  
\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

760-340-0558  
\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Phone Number

**Recording Requested By:**  
 MESQUITE COUNTRY CLUB CONDO. HOA  
 A CA Nonprofit Mutual Benefit Corp.

DOC # 2009-0489627  
 09/21/2009 08:00A Fee:18.00  
 Page 1 of 3  
 Recorded in Official Records  
 County of Riverside  
 Larry W. Ward  
 Assessor, County Clerk & Recorder

**When Recorded, Mail to:**  
 WAYNE S. GURALNICK  
 A Professional Law Corporation  
 40-004 Cook Street, Suite 3  
 Palm Desert, California 92211  
 (760) 340-0558  
 94-153



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**NOTICE OF DEFAULT AND ELECTION TO SELL PURSUANT TO ASSESSMENT LIEN AND THE PROVISIONS OF THE DECLARATION OF RESTRICTIONS**

**IMPORTANT NOTICE**

IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR PAYMENTS, IT MAY BE SOLD WITHOUT ANY COURT ACTION, AND YOU MAY HAVE THE LEGAL RIGHT TO BRING YOUR ACCOUNT IN GOOD STANDING BY PAYING ALL OF YOUR PAST-DUE PAYMENTS PLUS PERMITTED COSTS AND EXPENSES WITHIN THE TIME PERMITTED BY LAW FOR REINSTATEMENT OF YOUR ACCOUNT, WHICH IS NORMALLY FIVE BUSINESS DAYS PRIOR TO THE DATE SET FOR THE SALE OF YOUR PROPERTY. NO SALE DATE MAY BE SET UNTIL THREE MONTHS FROM THE DATE THIS NOTICE OF DEFAULT MAY BE RECORDED (WHICH DATE OF RECORDATION APPEARS ON THIS NOTICE). THIS AMOUNT IS SEVEN THOUSAND NINE HUNDRED TWENTY-SEVEN DOLLARS AND SIXTY-THREE CENTS (\$7,927.63) THROUGH SEPTEMBER 17, 2009 AND WILL INCREASE UNTIL YOUR ACCOUNT BECOMES CURRENT.

WHILE YOUR PROPERTY IS IN FORECLOSURE, YOU STILL MUST PAY OTHER OBLIGATIONS (SUCH AS INSURANCE AND TAXES) REQUIRED BY YOUR NOTE AND DEED OF TRUST OR MORTGAGE. IF YOU FAIL TO MAKE FUTURE PAYMENTS ON THE LOAN, PAY TAXES ON THE PROPERTY, PROVIDE INSURANCE ON THE NOTE AND DEED OF TRUST OR MORTGAGE, THE BENEFICIARY OR MORTGAGEE MAY INSIST THAT YOU DO SO IN ORDER TO REINSTATE YOUR ACCOUNT IN GOOD STANDING. IN ADDITION, THE BENEFICIARY OR MORTGAGEE MAY REQUIRE AS A CONDITION TO REINSTATEMENT THAT YOU PROVIDE RELIABLE WRITTEN EVIDENCE THAT YOU PAID ALL SENIOR LIENS, PROPERTY TAXES, AND HAZARD INSURANCE PREMIUMS.

UPON YOUR WRITTEN REQUEST, THE BENEFICIARY OR MORTGAGEE WILL GIVE YOU A WRITTEN ITEMIZATION OF THE ENTIRE AMOUNT YOU MUST PAY. YOU MAY NOT HAVE TO PAY THE ENTIRE UNPAID PORTION OF YOUR ACCOUNT, EVEN THOUGH FULL PAYMENT WAS DEMANDED, BUT YOU MUST PAY ALL AMOUNTS IN DEFAULT AT THE TIME PAYMENT IS MADE. HOWEVER, YOU AND YOUR BENEFICIARY OR MORTGAGEE MAY MUTUALLY AGREE IN WRITING PRIOR TO THE TIME THE NOTICE OF SALE IS POSTED (WHICH MAY NOT BE EARLIER THAN THE END OF THE THREE-MONTH PERIOD STATED ABOVE) TO, AMONG OTHER THINGS, (1) PROVIDE ADDITIONAL TIME IN WHICH TO CURE THE DEFAULT BY TRANSFER OF THE PROPERTY OR OTHERWISE; OR (2) ESTABLISH A SCHEDULE OF PAYMENTS IN ORDER TO CURE YOUR DEFAULT; OR BOTH (1) AND (2).

FOLLOWING THE EXPIRATION OF THE TIME PERIOD REFERRED TO IN THE FIRST PARAGRAPH OF THIS NOTICE, UNLESS THE OBLIGATION BEING FORECLOSED UPON OR A SEPARATE WRITTEN AGREEMENT BETWEEN YOU AND YOUR CREDITOR PERMITS A LONGER PERIOD, YOU HAVE ONLY THE LEGAL RIGHT TO STOP THE SALE OF YOUR PROPERTY BY PAYING THE ENTIRE AMOUNT DEMANDED BY YOUR CREDITOR.

TO FIND OUT THE AMOUNT YOU MUST PAY OR TO ARRANGE FOR PAYMENT TO STOP THE FORECLOSURE, OR IF YOUR PROPERTY IS IN FORECLOSURE FOR ANY OTHER REASON, CONTACT:

SUBSTITUTED TRUSTEE  
WAYNE S. GURALNICK  
A Professional Law Corporation  
40-004 Cook Street, Suite 3  
Palm Desert, California 92211  
(760) 340-0558

IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONTACT A LAWYER OR THE GOVERNMENTAL AGENCY WHICH MAY HAVE INSURED YOUR LOAN.

NOTWITHSTANDING THE FACT THAT YOUR PROPERTY IS IN FORECLOSURE, YOU MAY OFFER YOUR PROPERTY FOR SALE, PROVIDED THE SALE IS CONCLUDED PRIOR TO THE CONCLUSION OF THE FORECLOSURE.

**REMEMBER, YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.**

**NOTICE OF DEFAULT AND ELECTION TO SELL UNDER PROVISION OF THE  
DECLARATION OF RESTRICTIONS**

In the matter of the Notice of Assessment Lien executed by MESQUITE COUNTRY CLUB CONDO. HOA, A CA Nonprofit Mutual Benefit Corp., dated April 2, 2009 recorded on 04/06/2009 as Document No. 2009-0166595 in Book 2009, Page 0166595, of the Official Records, in the office of the Riverside County Recorder and by the authority granted by the Declaration of Covenants, Conditions and Restrictions for MESQUITE COUNTRY CLUB CONDO. HOA, A CA Nonprofit Mutual Benefit Corp., County of Riverside, State of California, recorded June 14, 1984, as Instrument No. 127724 and all amendments and supplements thereto, Official Records in the office of the County Recorder of Riverside County, California. **NOTICE IS HEREBY GIVEN** that a breach of obligation has occurred in connection with the payment of assessments, which obligation was created by a Document entitled Declaration for Establishment of Covenants, Conditions, and Restrictions for MESQUITE COUNTRY CLUB CONDO. HOA, recorded on June 14, 1984, as Instrument No. 127724, of Official Records of Riverside County, California, affecting real property and the improvements situated thereon, held in the name of:

Coral Lyn Kassel, Successor Trustee of the Kassel Family Trust - Survivor's Trust "A" - Dated June 7, 1989

LEGALLY DESCRIBED AS: UNIT 161 and an undivided 1/196th interest in and to LOT 2 of TRACT 18370-3, shown on file in Map Book 141, Pages 77 and 78, inclusive of Maps, Records of Riverside County, State of California, and the accompanying portion of the Common Area appurtenant thereto.

Assessor's Parcel No.: 502-312-062





## FINANCIAL TRANSACTIONS - 06/28/10

2701 E. Mesquite Ave. #EE161  
 Coral Kassel  
 Unit ID: 41610  
 STATUS: 70 - NOD Filed

DATE	PAYMT AMT	CHECK#	DEP DT	CODE	N/A	DESCRIPTION	AMOUNT	BALANCE
090107				A1		Assessments	370.00	370.00
092907				A1		Assessments	4401.00	4771.00
100107				A1		Assessments	370.00	5141.00
100107						October Assessment		
110107				A1		Assessments	370.00	5511.00
120107				A1		Assessments	370.00	5881.00
120107				09		Violation Fines	250.00	6131.00
121907				01		Late Fees	588.10	6719.10
121907				01		Late Fees	25.00	6744.10
122807				01		Late Fees	(70.10)	6674.00
010108				A1		Assessments	370.00	7044.00
020108				A1		Assessments	370.00	7414.00
022008				01		Late Fees	37.00	7451.00
022908				04		Interest	71.04	7522.04
030108				A1		Assessments	370.00	7892.04
032408				01		Late Fees	37.00	7929.04
033108				04		Interest	80.81	8009.85
040108				A1		Assessments	370.00	8379.85
042108				01		Late Fees	37.00	8416.85
043008				04		Interest	83.01	8499.86
050108				A1		Assessments	370.00	8869.86
050608	2960.00	1038	050608	PP-A1		Credit-Prepaid	(2960.00)	5909.86
052308	6754.00	A7999	052308	A1		Assessments	(6754.00)	(844.14)
052308				A1		Assessments	(977.00)	(844.14)
052708				PP-A1		Credit-Prepaid	1983.00	1138.86
052708				PP		Credit-Prepaid	(1983.00)	(844.14)
052708				01		Late Fees	(654.00)	(844.14)
052708				04		Interest	(234.86)	(844.14)
052708				09		Violation Fines	(250.00)	(844.14)

## FINANCIAL TRANSACTIONS - 06/28/10

2701 E. Mesquite Ave. #EE161  
 Coral Kassel  
 Unit ID: 41610  
 STATUS: 70 - NOD Filed

DATE	PAYMT AMT	CHECK #	DEP DT	CODE	N/A	DESCRIPTION	AMOUNT	BALANCE
060108		APPLY CHARGES		A1		Assessments	370.00	(474.14)
060108		APPLY PREPAYMNT		A1		Assessments	(370.00)	(474.14)
070108		APPLY CHARGES		A1		Assessments	370.00	(104.14)
070108		APPLY PREPAYMNT		A1		Assessments	(370.00)	(104.14)
080108		APPLY CHARGES		A1		Assessments	370.00	265.86
080108		APPLY PREPAYMNT		A1		Assessments	(104.14)	265.86
083108		INTEREST		04		Interest	2.71	268.57
090108		APPLY CHARGES		A1		Assessments	370.00	638.57
092308		APPLY LATE FEE		01		Late Fees	37.00	675.57
092308		Action taken: 10 - Late Notice						
092308		APPLY ADMIN FEE		03		Processing Fee	5.00	680.57
093008		INTEREST		04		Interest	6.71	687.28
100108		APPLY CHARGES		A1		Assessments	370.00	1057.28
102108		APPLY LATE FEE		01		Late Fees	37.00	1094.28
102108		Action taken: 10 - Late Notice						
102108		APPLY ADMIN FEE		03		Processing Fee	5.00	1099.28
103108		INTEREST		04		Interest	11.20	1110.48
110108		APPLY CHARGES		A1		Assessments	370.00	1480.48
112508		APPLY LATE FEE		01		Late Fees	37.00	1517.48
112508		Action taken: 20 - Pay or Lien						
112508		APPLY ADMIN FEE		03		Processing Fee	75.00	1592.48
113008		INTEREST		04		Interest	15.71	1608.19
120108		APPLY CHARGES		A1		Assessments	370.00	1978.19
123108		APPLY LATE FEE		01		Late Fees	174.59	2152.78
123108		Action taken: 20 - Pay or Lien						
010109		APPLY CHARGES		A1		Assessments	370.00	2522.78
020109		APPLY CHARGES		A1		Assessments	370.00	2892.78
022809		APPLY LATE FEE		01		Late Fees	37.00	2929.78
022809		Action taken: 20 - Pay or Lien						
030109		APPLY CHARGES		A1		Assessments	370.00	3299.78



## FINANCIAL TRANSACTIONS - 06/28/10

2701 E. Mesquite Ave. #EE161  
 Coral Kassel  
 Unit ID: 41610  
 STATUS: 70 - NOD Filed

DATE	PAYMT AMT	CHECK #	DEP DT	CODE	N/A	DESCRIPTION	AMOUNT	BALANCE
032709		APPLY LATE FEE		01		Late Fees	37.00	3336.78
033109		INTEREST		04		Interest	34.01	3370.79
040109		APPLY CHARGES		A1		Assessments	370.00	3740.79
042909		APPLY LATE FEE		01		Late Fees	37.00	3777.79
042909		Action taken: 30 - At Attorney						
043009		INTEREST		04		Interest	37.26	3815.05
050109		APPLY CHARGES		A1		Assessments	370.00	4185.05
050109				C1		Assessment #2	65.00	4250.05
052909		APPLY LATE FEE		01		Late Fees	43.50	4293.55
053109		INTEREST		04		Interest	43.76	4337.31
060109		APPLY CHARGES		A1		Assessments	370.00	4707.31
060109				C1		Assessment #2	65.00	4772.31
062609		APPLY LATE FEE		01		Late Fees	43.50	4815.81
063009		INTEREST		04		Interest	47.50	4863.31
070109		APPLY CHARGES		A1		Assessments	370.00	5233.31
070109				C1		Assessment #2	65.00	5298.31
072309		APPLY LATE FEE		01		Late Fees	43.50	5341.81
080109		APPLY CHARGES		A1		Assessments	370.00	5711.81
080109				C1		Assessment #2	65.00	5776.81
082409		APPLY LATE FEE		01		Late Fees	43.50	5820.31
083109		INTEREST		04		Interest	59.32	5879.63
090109		APPLY CHARGES		A1		Assessments	370.00	6249.63
090109				C1		Assessment #2	65.00	6314.63
092509		APPLY LATE FEE		01		Late Fees	43.50	6358.13
100109		APPLY CHARGES		A1		Assessments	370.00	6728.13
100109				C1		Assessment #2	65.00	6793.13
102309		APPLY LATE FEE		01		Late Fees	43.50	6836.63
110109		APPLY CHARGES		A1		Assessments	370.00	7206.63
110109				C1		Assessment #2	65.00	7271.63
112409		APPLY LATE FEE		01		Late Fees	43.50	7315.13

FINANCIAL TRANSACTIONS - 06/28/10

2701 E. Mesquite Ave. #EE161  
 Coral Kassel  
 Unit ID: 41610  
 STATUS: 70 - NOD Filed

DATE	PAYMT AMT	CHECK #	DEP DT	CODE	N/A	DESCRIPTION	AMOUNT	BALANCE	
120109		APPLY CHARGES		A1		Assessments	370.00	7685.13	
120109				C1		Assessment #2	65.00	7750.13	
122209		APPLY LATE FEE		01		Late Fees	43.50	7793.63	
010110		APPLY CHARGES		A1		Assessments	370.00	8163.63	
012810		APPLY LATE FEE		01		Late Fees	37.00	8200.63	
020110		APPLY CHARGES		A1		Assessments	370.00	8570.63	
022410		APPLY LATE FEE		01		Late Fees	37.00	8607.63	
030110		APPLY CHARGES		A1		Assessments	370.00	8977.63	
032210		APPLY LATE FEE		01		Late Fees	37.00	9014.63	
040110		APPLY CHARGES		A1		Assessments	370.00	9384.63	
042310		APPLY LATE FEE		01		Late Fees	37.00	9421.63	
060210		EXPENSE ADJ		A1		Assessments	(370.00)	9051.63	
060210		EXPENSE ADJ		01		Late Fees	(74.00)	8977.63	
060210		Sold 3/16 - Trff April							

Property sold @ tax sale on 3-16-10

Assoc.  
 \$8977.63  
 \$100.00 - mgmt  
\$9077.63

Atty  
 \$875.00 - fees  
 \$190.00 - cost  
 \$358.00 - title  
 \$90.00 - service  
\$1513.00

Total Due  
\$10,590.63

FROM Gusabnick + Gilliked  
4081 Cook St. #3  
Palm Desert Ca

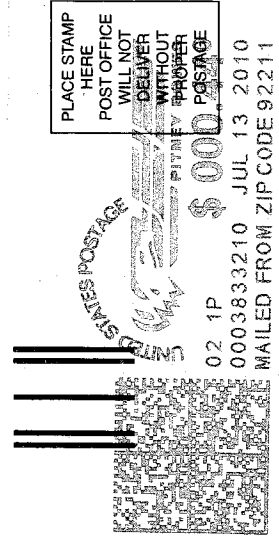
ZIP CODE 92211

ATTN DESIREE TAYLOR

2010 JUL 14 AM 9:05

DATE \_\_\_\_\_  
ASSESSMENT NUMBER 

S	0	2	3	1	2	0	6	2	-	9
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**RIVERSIDE COUNTY TREASURER**  
**P.O. BOX 12005**  
**RIVERSIDE, CA 92502-2205**



**Pazicni, Jennifer**

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**From:** Catherine Diehl <Catherined@gghoalaw.com>  
**Sent:** Wednesday, April 23, 2014 9:26 AM  
**To:** Pazicni, Jennifer  
**Subject:** Mesquite CC - Coral Kassel  
**Attachments:** doc04539620140423092416.pdf

Jennifer

The amount of the claim we provided to you has not changed. I spoke to the collection agency we are using on this account and they have not incurred any fees. I am attaching the accounting ledger that I provided to the collection agency and it will reflect the same amount.

Thank you

Catherine Diehl

Assessment Collection Manager

Guralnick & Gilliland LLP

40004 Cook St. Suite #3

Palm Desert, CA 92211

Phone (760) 340-1515 Fax (760) 568-3053

**If you would like a copy of our 28<sup>th</sup> Annual Legislative Update, please contact Bridgette Guralnick at [BridgetteG@gghoalaw.com](mailto:BridgetteG@gghoalaw.com)**



Please visit our website at <http://www.gghoalaw.com>

If this email relates to collection of delinquent assessments, please be advised this communication is from a debt collector. Please also note that we are attempting to collect a debt and any information obtained will be used for that purpose. The information contained in this electronic mail transmission is confidential and intended to be sent to the stated recipient of the transmission. It may therefore be protected from unauthorized use or dissemination by the attorney-client and/or attorney work product privileges. If you are not the intended recipient or the intended recipient's agent, you are hereby notified that any review, use, dissemination, distribution or copying of this communication is strictly prohibited. You are also asked to notify the above firm immediately at [gg@gghoalaw.com](mailto:gg@gghoalaw.com) or by telephone and destroy all copies of the original message. Thank you in advance for your cooperation.



Secretary of State

Administration Elections **Business Programs** Political Reform Archives Registries**Business Entities (BE)**

## Online Services

- **E-File Statements of Information for Corporations**
- **Business Search**
- **Processing Times**
- **Disclosure Search**

## Main Page

## Service Options

## Name Availability

## Forms, Samples &amp; Fees

Statements of Information  
(annual/biennial reports)

## Filing Tips

Information Requests  
(certificates, copies & status reports)

## Service of Process

## FAQs

## Contact Information

## Resources

- **Business Resources**
- **Tax Information**
- **Starting A Business**

## Customer Alerts

- **Business Identity Theft**
- **Misleading Business Solicitations**

**Business Entity Detail**

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Tuesday, June 3, 2014. Please refer to **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

<b>Entity Name:</b>	MESQUITE COUNTRY CLUB CONDOMINIUM HOMEOWNERS ASSOCIATION
<b>Entity Number:</b>	C1249412
<b>Date Filed:</b>	06/18/1984
<b>Status:</b>	ACTIVE
<b>Jurisdiction:</b>	CALIFORNIA
<b>Entity Address:</b>	400 S FARRELL DR STE B-202
<b>Entity City, State, Zip:</b>	PALM SPRINGS CA 92262
<b>Agent for Service of Process:</b>	BOBBIE GAFFNEY
<b>Agent Address:</b>	400 S FARRELL DR STE B-202
<b>Agent City, State, Zip:</b>	PALM SPRINGS CA 92262

\* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

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## Green, Shawana

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**From:** Bobbie Gaffney <bobbie@thegaffneygroup.net>  
**Sent:** Thursday, June 05, 2014 1:24 PM  
**To:** Green, Shawana  
**Subject:** RE: Claim for Excess Proceeds - Authorization  
**Attachments:** GG Collection Agmt.pdf

Attached is a copy of the Collection Agreement between Mesquite Country Club Condo HOA and the law firm of Guralnick and Gilliland. Mr. Guralnick has full authority to act on behalf of the Association in this matter.

Please let me know if anything additional is required.

Bobbie Gaffney, CCAM, PCAM  
President



THE GAFFNEY GROUP, INC.  
CONVINCING • SERVICIOUS • JUST

400 S. Farrell Drive, Suite B-202  
Palm Springs, CA 92262  
760-327-0301 (Phone)  
877-681-0301 (Fax)

### CONFIDENTIAL INFORMATION

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**From:** Green, Shawana [<mailto:SSGreen@co.riverside.ca.us>]  
**Sent:** Thursday, June 5, 2014 12:40 PM  
**To:** Bobbie Gaffney  
**Subject:** Claim for Excess Proceeds - Authorization

Hi Bobbie,

I am currently working on an excess proceeds claim that was filed by Wayne Guralnick, attorney for Mesquite Country Club Condo HOA. It is from property that was sold on March 16, 2010, with assessment #502312062-9, last assessee Coral Lyn Kassel in which Mesquite Country Club Condo, HOA filed a lien against. In order to continue with the process, we will need additional documentation showing that Mr. Guralnick has the authority to sign on behalf of Mesquite Country Club HOA. I have attached a copy of the claim for your convenience. Let me know if you have any questions.

Thank you,

## Association Authorization to Collect Delinquent Assessments

We authorize your law firm, as our attorney and agent, to: (a) sign and file any and all assessment liens against any delinquent owners of Lots/Units we refer to you, pursuant to the Covenants, Conditions and Restrictions of our association; (b) act as trustee, as that term is used in *Civil Code* §1367; and (c) begin and complete foreclosure proceedings if, after thirty days from the recordation of the Notice of Assessment Lien, the delinquent homeowner has not cured same.

Further, we hereby agree to the Terms and Conditions for Contingency Fee Collection Services, as follows:

1. GURALNICK & GILLILAND, LLP (hereinafter "G&G") will perform collection of assessments on a contingency fee basis. Except as noted below, all attorneys fees and costs are collected directly from the homeowner.
2. Association shall adopt a resolution approving the enclosed or agreed upon collection procedures. Thereafter, the new collection policy should be sent to the membership.
3. G&G will provide Association with a monthly written status report regarding all outstanding collection accounts at no charge.
4. Once a delinquent account is sent to G&G by Association, Association agrees not to accept any payments directly from owners. Such payments are to be sent to G&G.
5. If the Association decides to terminate these terms and conditions for Contingency Fee Services, Association shall elect one of the following alternatives: (1) have G&G continue to pursue collection of all assessment lien accounts in the possession of G&G; or (2) pay G&G for collection services previously provided at the rate of \$140.00 per hour.
6. Subject to periodic revision, the basic charges to the delinquent owner are as follows:

• <b>Preparation of Lien</b> .....	\$425.00 Attorneys Fees
	\$95.00 Costs
Lien preparation and release; correspondence with homeowner; return of non sufficient funds or partial payment to homeowner during lien period; communication with management and homeowner.	
• <b>Payment Plan and Approval</b> .....	\$300.00 or Amount Specified Per Association's Collection Policy, Whichever is Greater
• <b>ADR/IDR Letter</b> .....	\$175.00
Transmittal of letter to homeowner offer of ADR/IDR.	
• <b>Default Letter</b> .....	\$175.00
Transmittal of letter to homeowner for default of an approved payment plan.	
• <b>NSF Letter</b> .....	\$100.00
Transmittal of letter to homeowner for default of an approved payment plan.	
• <b>Escrow Demand Fee</b> .....	\$150.00
<b>Update</b> .....	\$50.00
<b>RUSH</b> .....	\$50.00
• <b>Extraordinary Attorney's Fees</b>	
At our discretion, additional attorneys' fees (and/or paralegal fees) will be charged to homeowner for extraordinary services, including excessive homeowner letter/telephone calls.	
• <b>Trustee's Fees (set by statute)</b>	
<b>Notice of Default</b> .....	\$300.00
<b>Title Report</b> .....	\$358.00
<b>Personal Service of NOD Per Person</b> .....	\$ 90.00
<b>Notice of Default Costs</b> .....	\$ 70.00
<b>Notice of Sale</b> .....	\$125.00
<b>Plus all costs such as Title Report, Posting, Publications, Mailing and the Actual Sale</b>	

7. In the event a Senior Lender has completed a foreclosure sale against a particular account and upon your authorization, our firm will forward the file representing the amount owed by the foreclosed out owner to a designated Collection Agency ("Agency"). No attorneys fees will be charged by Guralnick & Gilliland to the association for this service. If and when monies are collected by the Agency, the monies (minus the Agency's fees) will be sent to G & G for disbursement ("Monies"). At that time the disbursement of the Monies shall be prorated based upon the percentage of debt that belongs to the Association and the percentage of debt that belongs to G & G.

Signed: Robbie D. [Signature] Title: Association Manager  
 Association: Mesquite Ridge HOA Date: \_\_\_\_\_  
 Manager/Management Company, if applicable: THE LAFAYETTE GROUP, INC.  
 Mailing Address: 400 J. FARRELL DR. B202 City/State/Zip: PAIN SPRINGS, CA 92262

## Pazicni, Jennifer

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**From:** Catherine Diehl <Catherined@gghoalaw.com>  
**Sent:** Thursday, June 25, 2015 1:43 PM  
**To:** Pazicni, Jennifer  
**Subject:** Mesquite CC - Kassel

Jennifer

Per our recent phone conversation, our office was paid through our collection agency on this account. You can disregard my earlier payoff information that was sent.

Thank you

Catherine Diehl

Assessment Collection Manager

Guralnick & Gilliland LLP

40004 Cook St. Suite #3

Palm Desert, CA 92211

Phone (760) 340-1515 Fax (760) 568-3053

**If you would like a copy of our 29<sup>th</sup> Annual Legislative Update please contact Victoria Miller at [VictoriaM@gghoalaw.com](mailto:VictoriaM@gghoalaw.com).**



Please visit our website at <http://www.gghoalaw.com>

If this email relates to collection of delinquent assessments, please be advised this communication is from a debt collector. Please also note that we are attempting to collect a debt and any information obtained will be used for that purpose. The information contained in this electronic mail transmission is confidential and intended to be sent to the stated recipient of the transmission. It may therefore be protected from unauthorized use or dissemination by the attorney-client and/or attorney work product privileges. If you are not the intended recipient or the intended recipient's agent, you are hereby notified that any review, use, dissemination, distribution or copying of this communication is strictly prohibited. You are also asked to notify the above firm immediately at [gg@gghoalaw.com](mailto:gg@gghoalaw.com) or by telephone and destroy all copies of the original message. Thank you in advance for your cooperation.





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### Homeowner Association Management

The management of day to day operations for community associations has become a specialized field. The Gaffney Group, Inc. cares about the integrity of this profession so all of the community association managers we employ are certified professionals.

Our managers are here to help you evaluate the specific requirements of your association and meet the individualized needs of your community. We continue to develop new and beneficial service offerings for our clients which, at the present time, include:

- Comprehensive and proactive association management
- Association and developer consulting
- Complete administrative and management support
- Facilities maintenance
- Extensive financial services
- Educational seminars and workshops
- Community websites

We manage our communities with the personal attention of an individual combined with the full support of our organization. We approach every situation with commitment, expertise, and one-on-one support.

The Gaffney Group, Inc. was founded on the belief that honesty, integrity, ethics, knowledge and professionalism are key to a successful business. Our care and compassion are clearly visible in the exceptional customer service we provide. We promptly respond to all owner requests. All work orders are followed through to completion. Owners are kept apprised of what is happening in their communities through web sites and other means of communication.

Our goal is to provide the best association management available by focusing on:

- Preserving and enhancing the property
- Maximizing cash flow
- Timely and effective communication with the client
- Board member education
- Personalized service

The principal of The Gaffney Group is Bobbie Gaffney, President. Bobbie has been an association manager for over 23 years. She began her career as a portfolio manager, then moved to on-site management. She is a certified community association manager, having earned her CCAM through the California Association of Community Managers. Additionally, she has achieved the AMS (Association Management Specialist) and PCAM (Professional Community Association Manager) designations through Community Associations Institute.

Prior to starting her own company, Bobbie was employed by a large, local management company, where she was responsible for the training and education of its managers. She is actively involved in the local chapter of CAI, where she previously served on its Board of Directors and was Editor of its monthly chapter newsletter, The Quorum. She is still actively involved with CAI and also serves on the Editorial Advisory Committee for the California Association of Community Managers Vision Magazine. Bobbie has authored numerous articles on community association management, appeared on television as a top professional in her field, and has been called upon for expert testimony in community association related litigation.



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