

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

431A



FROM: Don Kent, Treasurer-Tax Collector

SUBMITTAL DATE:

DEC 28 2015

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 200, Item 440. Last assessed to: Rosa Gonzalez, a married woman. District 3 [\$0].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny 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 635213001-9;

(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 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
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	

SOURCE OF FUNDS:

Budget Adjustment: N/A

For Fiscal Year: 15/16

C.E.O. RECOMMENDATION:

APPROVE

BY: *Samuel Wong* 1/14/16
Samuel Wong

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Washington 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: January 26, 2016
xc: Treasurer

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

Prev. Agn. Ref.:

District: 3

Agenda Number:

9-20

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 440. Last assessed to:

Rosa Gonzalez, a married woman. District 3 [\$0].

DATE: DEC 28 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 \$1,927.42 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 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 February 4, 2014 as Instrument No. 2014-0048452.

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 denied since the lien filed is not associated with our last assessee. Since there are no other claimants the unclaimed excess proceeds in the amount of \$1,927.42 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 transferred to the county general fund.

ATTACHMENTS (if needed, in this order):

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

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

To: **Don Kent, Treasurer-Tax Collector**

Re: **Claim for Excess Proceeds**

TC 200 Item 440 Assessment No.: 635213001-9

Assessee: GONZALEZ, ROSA

Situs:

Date Sold: April 29, 2014

Date Deed to Purchaser Recorded: June 20, 2014

Final Date to Submit Claim: June 22, 2015

RECEIVED
2014 JUL 28 PM 4:33
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 1,378.75 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. 20140548452 recorded on 02-24-14. 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 Tenants 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 27th day of July, 2014 at Sacramento, CA
County, State

Carey G. Koehler
Signature of Claimant

Signature of Claimant

Print Name

Print Name

Street Address

Street Address

City, State, Zip

City, State, Zip

Phone Number

Phone Number

Account Reconciliation 07/22/14

SSN:	
Liability Amount	\$1,142.70
PreJudg. Interest	\$15.24
Court Costs	\$266.00
Interest	\$13.81
Credits/Payments	-\$59.00
Amount Due	\$1,378.75

<u>Date</u>	<u>Code</u>	<u>Credits</u>	<u>Debits</u>	<u>Transaction Detail</u>
05/17/13	00		\$336.70	Overpayment
01/08/14	00		\$25.00	Court Costs
01/08/14	36		\$16.00	Court Costs
01/08/14	00		\$225.00	Court Costs
01/10/14	00		\$806.00	Overpayment
02/04/14	00		\$4.57	Interest
03/04/14	00		\$4.74	Interest
03/17/14	03	-\$59.00		Payment
04/01/14	00		\$4.50	Interest

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

Trustor Name: ROSA GONZALEZ
APN NO.: 635213001-9
ITEM NO.: 440
SALE DATE.: 04/29/14
Claimant: EMPLOYMENT DEVELOPMENT DEPARTMENT
Reference No.:
Address: PO BOX 826218, SACRAMENTO, CA 94230-6218
Phone No.: (916) 464-1261

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:

Principle Balance	\$	1,142.70
Interest from 01/08/14 to 04/01/14 10% per annum.	\$	29.05
Other Charges: (Costs)	\$	266.00
Less Credit(s) received	\$	59.00
Total Due	\$	<u>1,278.75</u>

- ☒ 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 22, 2014

Signature: C. Koehler

C. KOEHLER Department Representative

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

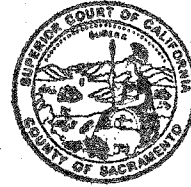
On July 22, 2014 before me, **J. FAHLMAN**, Deputy Clerk, personally appeared. **C. KOEHLER** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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:  J. Fahlman

[Seal]



S140102771

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: 1-800-678-5737

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 # 2014-0048452 ✓

✓02/04/2014 03:25P 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)

ABSTRACT OF JUDGMENT ✓

DOCUMENT TITLE

SEPARATE PAGE, PURSUANT TO GOVT. CODE 27361.6

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number): 1-800-678-5737
Recording requested by and return to: S140102771

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

☐ ATTORNEY FOR ☒ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

STREET ADDRESS: 720 NINTH STREET, ROOM 104

MAILING ADDRESS: 720 NINTH STREET, ROOM 104

CITY AND ZIP CODE: SACRAMENTO, CA 95814

BRANCH NAME: SACRAMENTO - CIVIL

FOR RECORDER'S USE ONLY

PLAINTIFF: STATE OF CALIFORNIA, EMPLOYMENT DEVELOPMENT DEPARTMENT
DEFENDANT: ROSA D. GONZALEZ

CASE NUMBER:
34-2014-90002771 ✓

ABSTRACT OF JUDGMENT - CIVIL ✓
AND SMALL CLAIMS☐ Amended

FOR COURT USE ONLY

1. The ☒ judgment creditor ☐ assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

ROSA D. GONZALEZ
21740 MARTIN ST
PERRIS CA 92570-7315 ✓

- b. Driver's license no. (last 4 digits) and state:

☒ Unknown

- c. Social security no. (last 4 digits):

☐ Unknown

- d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): (Same as line 1.a. above)

2. ☐ Information on additional judgment debtors is shown on page 2.

4. ☐ Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address):

State of California
Employment Development Department
P.O. Box 826218, Sacramento, CA 92430-6218 ✓

- 5.
- ☐
- Original abstract recorded in this county:

a. Date:
b. Instrument No.:

Date: 01/08/14

R. Leon

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 617.94

10. ☐ An ☐ execution lien ☐ attachment lien

is endorsed on the judgment as follows:

7. All judgment creditors and debtors are listed on this abstract.

a. Amount: \$

b. In favor of (name and address):

8. a. Judgment entered on (date): 01/08/14

b. Renewal entered on (date):

- 9.
- ☐
- This judgment is an installment judgment.

11. A stay of enforcement has

a. ☒ not been ordered by the court.b. ☐ been ordered by the court effective until (date):

12. a.
- ☒
- I certify that this is a true and correct abstract of the judgment entered in this action.

b. ☐ A certified copy of the judgment is attached.

(SEAL)



This abstract issued on (date):

01/08/14

Pursuant to CRC 2.259(e)(1) this document has been electronically filed by the Superior Court of California, County of Sacramento on 01/08/14.

Clerk, by K. Kohler Deputy

Form Adopted for Mandatory Use
Judicial Council of California
EJ-001 (Rev. January 1, 2008)

ABSTRACT OF JUDGMENT--CIVIL
AND SMALL CLAIMS

Page 1 of 2
Code of Civil Procedure §§ 488.480,
674, 700.180

American LegalNet, Inc.
www.FormsWorkflow.com

PLAINTIFF:	CASE NUMBER:
DEFENDANT: ROSA D. GONZALEZ	

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (name and address):

14. Judgment creditor (name and address):

15. ☐ Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

17. Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

18. Name and last known address

19. Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

Summons was personally served at or mailed to (address):

20. ☐ Continued on Attachment 20.