

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 F | iscal Year: | Next Fiscal Year: | | Total Cos | st: | Or | ngoing Cost: | 1,000,000,000,000 | CONSENT c. Office) |
|-----------------|-----------|-------------|-------------------|-------|-----------|-------|-----|----------------|-------------------|-----------------------|
| COST | \$ | 1,133 | \$ | 0 | \$ | 1,133 | \$ | 0 | Canant | Dallau 🖼 |
| NET COUNTY COST | \$ | 0 | \$ | 0 | \$ | 0 | \$ | 0 | Consent | Policy K |
| SOURCE OF FUN | DS: Fu | nd 65595 I | Excess Proceed | s fro | om Tax | Sale | | Budget Adjustr | nent: N/A | |
| | | | | | | | - 9 | | | |

Samuel Wong

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

| Change Order | | motion of Supervisor Ashley, seconded by Super RDERED that the above matter is approved as re | |
|--------------|---------|--|----------------------|
| Cha | Ayes: | Jeffries, Washington, Benoit and Ashley | |
| 1 0 | Nays: | None | Kecia Harper-Ihem |
| _ | Absent: | Tavaglione | Clerk of the Board |
| | Date: | July 12, 2016 | By: MANAGEMENT ANTOM |
| e | XC. | Treasurer | Deputy |

□ □ Prev. Agn. Ref.:

4/5

District: 4

Agenda Number:

9-18

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

RIVERSIDE COUNTY TREAS-TAX COLLECTOR

2014 JUL 28 PM 4: 34



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

| Tri | ustor | Na | me. |
|-----|-------|------|------|
| | JOLUL | 1140 | HIG. |

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:

| Principle Balance | \$ 1,485.90 |
|--|-----------------------|
| Interest from 03/30/10 to 06/29/14 10% per annum. | \$ 439.20 |
| Other Charges: (Costs) | \$ 339.25 |
| Less Credit(s) received | \$ 764.00 |
| Total Due | \$ <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:

I. 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)

GA COA

ABSTRACT OF JUDGMENT

Х

DOCUMENT TITLE

SEPARATE PAGE, PURSUANT TO GOVT. CODE 27361.6

Public Record

EJ-001 ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address. State Bar number, and telephone number): 1-800-676-5737 S100307006 Recording requested by and return to: STATE OF CALIFORNIA, EMPLOYMENT DEVELOPMENT DEPARTMENT BENEFIT OVERPAYMENT COLLECTION SECTION, MIC 91 800 CAPITOL MALL, P.O. BOX 826218, SACRAMENTO, CA 94230-6218 ASSIGNEE OF RECORD JUDGMENT CREDITOR ATTORNEY FOR SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO FOR RECORDER'S USE ONLY STREET ADDRESS: 720 NINTH STREET, ROOM 104 MAILING ADDRESS: 720 NINTH STREET, ROOM 104 CITY AND ZIP CODE: SACRAMENTO, CA 95814 BRANCH NAME: SACRAMENTO - LIMITED CIVIL PLAINTIFF: STATE OF CALIFORNIA, EMPLOYMENT DEVELOPMENT DEPARTMENT CASE NUMBER: 34-2010-90007006 DEFENDANT: TORIBIO BELTRAN FOR COURT USE ONLY Amended ABSTRACT OF JUDGMENT - CIVIL AND SMALL CLAIMS 1. The X judgment creditor assignee of record applies for an abstract of judgment and represents the following: Judgment debtor's Name and last known address TORIBIO BELTRAN 65100 DATE PALM AVE APT K101 MECCA CA 92254-6616 X Unknown Driver's license no. [last 4 digits] and state; Unknown Social security no. [last 4 digits]: 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) Information on additional judgment Information on additional judgment creditors is shown on page 2. debtors is shown on page 2. Original abstract recorded in this county: (Judgment creditor (name and address): a. Date: State of California b. Instrument No.: Employment Development Department P.O. Box 826218, Sacramento, CA 92430-6218 Date: 3/30/2010 S. Allen (SIGNATURE OF APPLICANT OR ATTORNEY) (TYPE OR PRINT NAME) execution lien attachment lien An [Total amount of judgment as entered or last renewed: 10 is endorsed on the judgment as follows: \$ \$1,006.15 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): 03/30/10 11. A stay of enforcement has b. Renewal entered on (date): a. X not been ordered by the court. This judgment is an installment judgment. been ordered by the court effective until (date): (SEAL) 12. a. X 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. This abstract issued on (date): 03/30/10

ABSTRACT OF JUDGMENT---CIVI Judicial Council of Catherna EJ-001 [Rev. January 1, 2005] AND SMALL CLAIMS

Clerk, by

Deputy

| TODIAL TODIAL PELTON | ₹ | | | |
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| DEFENDANT: TORIBIO BELTRAN | | | | |
| NAMES AND ADDRESSES OF ADDITIO | | | | |
| 13. Judgment creditor (name and addres | ss): 1 | 4. Judgment creditor (r. | name and addres | s). |
| | | | | |
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| 15. Continued on Attachment 15. | 12 | | | |
| INFORMATION ON ADDITIONAL JUDG | MENT DEBTORS: | 8 | | |
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| 16. Name and last known at | ddress | Nam | R STO 1831 KITOWIT BK | 101000 |
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Public Record

Account Reconciliation 07/23/14

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| ۲ | iability Amount \$1,485.90 |
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| ျှ | redits/Payments |
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| A | mount Due |
| L | \$1,500.35 |
| ¥41. | |

| <u>Date</u> 03/18/09 06/03/09 | 00 01 | <u>Credits</u> -\$260.00 | <u>Debits</u> \$993.20 | Transaction Detail Overpayment Benefit Offset |
|-------------------------------|----------|-----------------------------|-------------------------------|---|
| 10/26/09 | 00 | -ψ200.00 | \$492.70 | Overpayment |
| 03/30/10 | 00 | | \$25.00 | Court Costs |
| 03/30/10 | 36 | č. | \$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 |
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| 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 | Interest |
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| 12/24/11 | 00 | | \$15.41 | Interest |
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Account Reconciliation 07/23/14

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| 06/0 |)2/14 | 00 | \$9.31 | Interest |

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|--|---|---|--|---|
| | | SENDER: COMPLETE THIS SECTION Complete items 1, 3, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | | COMPLETE THIS SECTION ON DELIVERY |
| | | | | A. Signature X M. Stove Addresse B. Received by (Printed Name) C. Date of Deliver |
| | | | | D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No |
| November 10, 2015 Employment Development Depart PO Box 826218 | | Employment Development Department PO Box 826218 Sacramento, CA 94230-6218 | | 3. Service Type |
| | | EP 200-566 | | ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandis ☐ Insured Mail ☐ C.O.D. |
| Sacra | mento, CA 94230-6218 | | Y E | 4. Restricted Delivery? (Extra Fee) ☐ Yes |
| Re: | APN: 721202014-7 | Article Number (Transfer from service label) | 7015 0 | PAO 000P 7PSP AAOO |
| | TC 200 Item 566 Date of Sale: April 29, | PS Form 3811, August 2001 | Domestic Re | eturn Receipt 102595-02-M-154 |
| docur Pleas | office is in receipt of your of mentation you have provide the submit the necessary proment(s) listed below may | ed is insufficient to establist of to establist of to establish your rigle | th your claim. | cess proceeds. The |
| | Notarized Affidavit for Col Personal Property under Ca Probate Code 13100 Notarized Statement of different/misspelled Notarized Statement Giving claim on behalf of Certified Death Certificates for | lifornia Authorization to for | Original Note X Updated Sta (as of date of Articles of In Statement by Court Order | riage Certificate for e/Payment Book atement of Monies Owed of tax sale) acorporation (if applicable of Domestic Stock) Appointing Administrator aim/Grant etc) |
| | e send in all documents wit ct me at the number listed l | · · · · · · · · · · · · · · · · · · · | 0, 2015). If you sh | ould have any questions, please |
| Since | rolv | | | |

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

| <u> </u> | SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|---|--|---|
| | Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: Employment Development Department | X Agent Address B. Rocal Control Marie C. Date of Delive D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No |
| March 30, 2016 | PO Box 826218 Sacramento; CA 94230-6218 EP 200-546 | 3. Service Type □ Priority Mail Express® |
| Employment Development Depa PO Box 826218 Sacramento, CA 94230-6218 | 9590 9401 0074 5168 3706 31 2. Article Number (Transfer from service label) 7015 0640 0006 1626 4660 | □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Certified Mail® □ Collect on Delivery □ Collect on Delivery □ Insured Mail □ Insured Mail Restricted Delivery □ (over \$500) □ Registered Mail™ □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation □ Signature Confirmation □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise |
| 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: | | |
| | aim for excess proceeds from the above-ment is insufficient to establish your claim. | ntioned tax sale. The |
| | oof to establish your right to claim the exc essist the Tax Collector in making the dete | |
| Notarized Affidavit for Collegersonal Property under Callegersonal Probate Code 13100 Notarized Statement of different/misspelled Notarized Statement Giving a claim on behalf of Certified Death Certificates for Copy of Birth Certificates for Copy of Birth Certificates | original Note X Updated State (as of date of the date of the date of the date) Authorization to Statement by Court Order And the date of the date o | riage Certificate for e/Payment Book tement of Monies Owed of tax sale) corporation (if applicable Domestic Stock) Appointing Administrator aim/Grant etc) |
| | ceived within 15 days (April 14, 2016), yo | |
| If you should have any questions, | please contact me at the number listed below | w. |
| 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.org]

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