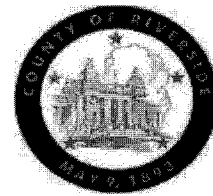


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



2505

SUBMITTAL DATE:
September 27, 2016

FROM : TREASURER-TAX COLLECTOR::

SUBJECT: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 204, Item 26. Last assessed to: Fernando C. Formeloza and Elizabeth F. Formeloza, husband and wife, as joint tenants w/ROS. District 4 [\$414]. Fund 65595 Excess Proceeds from Tax Sale.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from BH Financial Services, LLC for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 010635894-6;
2. Authorize and direct the Auditor-Controller to issue a warrant to BH Financial Services, LLC in the amount of \$414.63, 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 \$414.63 to the county general fund pursuant to Revenue and Taxation Code Section 4674.

Policy

Don Kent
Don Kent, Treasurer-Tax Collector 10/14/2016

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:
COST	\$ 414	\$ 0	\$ 414	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale			Budget Adjustment:	No
			For Fiscal Year:	16/17

C.E.O. RECOMMENDATION: APPROVE

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: Benoit
Date: November 1, 2016
xc: Treasurer

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

9-21

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

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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 June 1, 2015 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 23, 2015. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on August 18, 2015, 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.

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 Accurant (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 23, 2015.

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

1. Claim from BH Financial Services, LLC based on an Abstract of Judgment recorded January 20, 2010 as Instrument No. 2010-0022489.

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

Page 2

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that BH Financial Services, LLC be awarded excess proceeds in the amount of \$414.63. Since there are no other claimants for Elizabeth F. Formeloza's portion of the excess proceeds, the unclaimed excess proceeds in the amount of \$414.63 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 Residents and Businesses

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim BHFinancial

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

RECEIVED

To: Don Kent, Treasurer-Tax Collector

2015 AUG 27 PM 4: 10

Re: Claim for Excess Proceeds

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

TC 204 Item 26 Assessment No.: 010635894-6

Assessee: FORMELOZA, FERNANDO C & ELIZABETH F

Situs:

Date Sold: June 1, 2015

Date Deed to Purchaser Recorded: June 23, 2015

Final Date to Submit Claim: June 23, 2016

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$67,925.70 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. 240-0023498 recorded on 11/20/2010. 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.

- 1) Recorded Abstract of Judgment
- 2) Itemized Accounting
- 3) California Secretary of State Business Liability Portal

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 24 day of August, 2015 at Los Angeles, Cal. County

[Signature]
Signature of Claimant

[Signature]
Signature of Claimant

Steven Goldstein - Managing Member
Print Name

BH Financial Services, LLC Print Name

3561 Santa Monica Blvd #552
Street Address

Street Address

Los Angeles, CA 90069
City, State, Zip

City, State, Zip

310-259-1870
Phone Number

Phone Number

County Administrative Center- 4th Floor
4080 Lemon Street, P.O. Box 12005
Riverside, CA 92502-2205
(951) 955-3900
(951) 955-3990 - Fax



Palm Desert Office
38-686 El Cerrito Road
Palm Desert, CA 92211

E-mail: lrc@co.riverside.ca.us
www.countytreasurer.org

COUNTY OF RIVERSIDE
TREASURER-TAX COLLECTOR

Temecula Office
40935 County Center Drive, Suite C
Temecula, CA 92591

August 18, 2015

FERNANDO C. FORMELOZA AND ELIZABETH F. FORMELOZA
28603 MT. PALOMAR PLACE
RANCHO PALOS VERDE, CA 90275

Re: EXCESS PROCEEDS FROM SALE OF TAX DEFAULTED PROPERTY

Assessment No.: 010635894-6 Item: 26
Situs Address:
Assessee: Formeloza, Fernando C & Elizabeth F
Date Sold: June 1, 2015
Date Deed to Purchaser Recorded: June 23, 2015
Final Date to Submit Claim: June 23, 2016

Dear Sir or Madame:

The property referenced above was declared subject to the Tax Collector's power of sale for non-payment of taxes and later sold. Parties of Interest, as defined in Section 4675 of the California Revenue and Taxation Code (e.g., the last assessee and any lienholders of record), have a right to file a claim for any excess proceeds that remain after the tax liens and the costs of the sale have been satisfied. Our records show that you may be a party of interest, and we are enclosing for your convenience a claim form and a return envelope. Please note that your claim must be filed within one year of the date the deed to the purchaser was recorded (shown above). By law, we cannot accept claims after one year from this recording date. Claims submitted will be evaluated by our legal counsel and awarded in accordance with state law. The submission of a claim merely initiates that review.

The enclosed form is relatively simple and we must stress that most applicants will be able to fill it out without help. However, if you need help, please feel free to contact our office by mail, telephone or in person and we will help you without charge. You may telephone us at (951) 955-3336.

If you prefer to have an agent file your claim for you, or if you should decide to sell your claim (often referred to as "assignment") so that the purchaser of the claim may receive the funds, please advise us and we will send the proper form.

Please note also that the statutory procedures and the County's internal procedures dictate that most claims will not be processed until at least twenty (20) months following the date of recordation of the tax deed.

Sincerely,

DON KENT
TREASURER-TAX COLLECTOR

By Jennifer Payton
Deputy

RECORDING REQUESTED BY AND MAIL TO:
 (Name and mailing address, including city, state,
 and ZIP code, of requesting party)

KENNETH J. MIELE, BAR #185730
 LAW OFFICES OF KENOSIAN & MIELE, LLP
 8581 SANTA MONICA BLVD., #17
 LOS ANGELES, CA 90069

DOC # 2010-0022489

01/20/2010 08:00A Fee:21.00

Page 1 of 3

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
							CTY	UNI	518

(22)

C
518

DOCUMENT TITLE

- ABSTRACT OF JUDGMENT
 ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT
 OTHER (specify): _____

59495 -7X
 BE FINANCIAL SERVICES, LLC V. FORMELOZA

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and telephone number):

Recording requested by and return to:

LAW OFFICES OF KENOSIAN & MIELE, LLP
KENNETH J. MIELE, BAR #165730
8581 SANTA MONICA BLVD., #17
LOS ANGELES, CA 90069
PH: 310-289-0500 FX: 310-289-5177

ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

STREET ADDRESS: 46200 OASIS STREET

MAILING ADDRESS: 46200 OASIS STREET

CITY AND ZIP CODE: INDIO, CA 92201

BRANCH NAME: INDIO LIMITED CIVIL

FOR RECORDER'S USE ONLY

PLAINTIFF: BH FINANCIAL SERVICES, LLC, A LIMITED LIABILITY COMPANY
DEFENDANT: FERNANDO FORMELOZA aka FERNANDO C. FORMELOZA

CASE NUMBER:
INC089005

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

FERNANDO FORMELOZA aka FERNANDO C. FORMELOZA
3537 VISTA VERDE
PALM SPRINGS, CA 92262-1233

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): FERNANDO FORMELOZA aka FERNANDO C. FORMELOZA 3637 VISTA VERDE PALM SPRINGS CA 92262

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):

BH FINANCIAL SERVICES, LLC A LIMITED LIABILITY COMPANY
8581 Santa Monica Blvd., #17 Los Angeles, CA 90069

5. Original abstract recorded in this county:

a. Date:
b. Instrument No.:

Date: 12-30-09

KENNETH J. MIELE, ATTORNEY FOR BH FINANCIAL SERVICES, LLC

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 45109.28

10. An execution lien attachment lien is endorsed on the judgment as follows:

a. Amount: \$
b. In favor of (name and address):

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

8. a. Judgment entered on (date): 12-13-09

b. Renewal entered on (date):

9. This 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):



This abstract issued on (date):

JAN 14 2010

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.

Clerk, by [Signature], Deputy

2618-8622-469
01/26/2010 09:00A
2 of 3



PLAINTIFF: BH FINANCIAL SERVICES, LLC A LIMITED LIABILITY COMPANY DEFENDANT: FERNANDO FORMELOZA aka FERNANDO C. FORMELOZA	CASE NUMBER: INC089005
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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 and state:

Driver's license no. [last 4 digits]

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 and state:

Driver's license no. [last 4 digits]

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.



2010-0022489
01/29/2010 08:08A
3 of 3

ITEMIZED ACCOUNTING

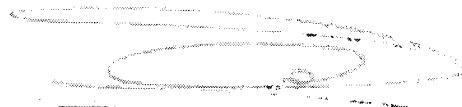
RE: Disbursement of Surplus Funds
ASSEESSEE: FORMELOZA, FERNANDO C & ELIZABETH F
ASSESSMENT NO.: 010635894-6
CLAIMANT: BH FINANCIAL SERVICES, LLC

I, Steven Goldstein, managing member of BH Financial Services, LLC make the following claim for surplus funds:

ITEMIZED ACCOUNTING:

Judgment Amount: \$ 45,109.28
Interest: \$ 24,667.98 (from 12/13/2009 to 06/01/2015 at the rate of 10%)
Costs: \$ 148.50
TOTAL: \$ 69,925.76

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles CA on August 24, 2015.



Steven Goldstein- Managing Member

BH FINANCIAL SERVICES, LLC

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, September 23, 2016. 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.

Entity Name:	BH FINANCIAL SERVICES LLC
Entity Number:	200523110102
Date Filed:	08/17/2005
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	8581 SANTA MONICA BLVD #552
Entity City, State, Zip:	LOS ANGELES CA 90069
Agent for Service of Process:	STEVEN GOLDSTEIN
Agent Address:	8581 SANTA MONICA BLVD #552
Agent City, State, Zip:	LOS ANGELES CA 90069

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

* Note: If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- 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 Types.

Pazicni, Jennifer

From: Arash A. Khakshooy <arash@kenosianmiele.com>
Sent: Monday, September 26, 2016 11:21 AM
To: Pazicni, Jennifer
Subject: FERNANDO FORMELOZA- EXCESS PROCEEDS

Hi Jennifer:

It was a pleasure speaking with you this morning regarding my client's excess proceeds claim. Per your request, the amount demanded is \$69,925.76. Please feel free to contact me with any additional questions.

Best Regards,

Arash A. Khakshooy Esq.
KENOSIAN & MIELE, LLP
ATTORNEYS AT LAW
8581 Santa Monica Blvd. #17
Los Angeles, California 90069
Tel: 310-289-0500 Ext. 317
Fax: 310-289-5177
Email: arash@kenosianmiele.com

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