

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



ITEM
9.22
(ID # 2772)


FROM : TREASURER-TAX COLLECTOR:

MEETING DATE:
Tuesday, January 24, 2017

SUBJECT: TREASURER-TAX COLLECTOR: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item 101. Last assessed to: Faustino Livas and Deanna J. Livas, husband and wife as joint tenants. District 5 [\$36,370-Fund 65595 Excess Proceeds from Tax Sale].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Global Discoveries, Ltd., assignee for Raymond G. Browning, attorney in fact for DeAnna J. Livas, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 320283013-6;
2. Deny the claim from Gloria Livas;
3. Authorize and direct the Auditor-Controller to issue a warrant to Global Discoveries, Ltd., assignee for Raymond G. Browning, attorney in fact for DeAnna J. Livas in the amount of \$36,370.70, 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.


Don Kent, Treasurer-Tax Collector 12/19/2016


FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 36,370	\$ 0	\$ 36,370	\$ 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:

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington and Ashley
Nays: None
Absent: Tavaglione
Date: January 24, 2017
xc: Treasurer

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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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 May 5, 2015 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 18, 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 July 22, 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.

The Treasurer-Tax Collector has received two claims for excess proceeds:

1. Claim from Global Discoveries, Ltd., assignee for Raymond G. Browning, attorney in fact for DeAnna J. Livas based on an Assignment of Right to Collect Excess Proceeds dated April 21, 2016, a Grant Deed recorded July 21, 1989 as Instrument No. 243465, a death certificate for Faustino Livas and a Power of Attorney for DeAnna J. Livas dated December 30, 2008.
2. Claim from Gloria Livas based on a Grant Deed Recorded July 21, 1989 as Instrument No. 243465.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Global Discoveries, Ltd., assignee for Raymond G. Browning, attorney in fact for DeAnna J. Livas be awarded excess proceeds in the amount of \$36,370.70. The claim from Gloria Livas be denied since she was not a party of interest at the time of the sale. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimants by certified mail.

Impact on Residents and Businesses

Excess proceeds are being released to the attorney in fact for the last assessee of the property.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Global

ATTACHMENT B. Claim Livas