

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



ITEM
9.33
(ID # 3198)

MEETING DATE:

Tuesday, January 24, 2017

FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Recommendation for Distribution of Excess Proceeds for Tax Sale No. 203, Item 573. Last assessed to: Ruben Rodriguez, a married man as his sole and separate property and Manuel Flores Espinoza, a single man, as joint tenants. District 5 [\$36,283-Fund 65595 Excess Proceeds from Tax Sale].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Nationstar Mortgage, LLC, POA for U.S. Bank National Association for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 666204017-2;
2. Deny the claim from the Riverside County Department of Child Support Services;
3. Deny the claim from Franklin J. Love, attorney for Collection Consultants of California;
4. Deny the claim from Global Discoveries, Ltd., assignee for Ruben Rodriguez, last assessee;
5. Deny the claim from Global Discoveries, Ltd., assignee for Manuel Flores Espinoza, last assessee;
6. Authorize and direct the Auditor-Controller to issue a warrant to Nationstar Mortgage, LLC, POA for U.S. Bank National Association in the amount of \$36,283.01, 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

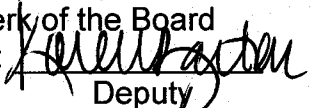
FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 36,283	\$ 0	\$ 36,283	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.			Budget Adjustment:	No
			For Fiscal Year:	16/17

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 five claims for excess proceeds:

1. Claim from Nationstar Mortgage, LLC, POA for U.S. Bank National Association based on a Deed of Trust recorded November 4, 2005 as Instrument No. 2005-0921162, an Assignment of Deed of Trust recorded April 2, 2013 as Instrument No. 2013-0156026 and a Limited Power of Attorney dated March 5, 2014.
2. Claim from the Riverside County Department of Child Support Services based on a Notice of Support Judgment recorded November 4, 2011 as Instrument No. 2011-0493194.
3. Claim from Franklin J. Love, attorney for Collection Consultants of California based on an Abstract of Judgment recorded January 8, 2014 as Instrument No. 2014-0008113.
4. Claim from Global Discoveries, Ltd., assignee for Ruben Rodriguez based on an Assignment of Right to Collect Excess Proceeds dated February 11, 2016 and a Grant Deed recorded November 4, 2005 as Instrument No. 2005-0921159.
5. Claim from Global Discoveries, Ltd., assignee for Manuel Flores Espinoza based on an Assignment of Right to Collect Excess Proceeds dated February 3, 2016 and a Grant Deed recorded November 4, 2005 as Instrument No. 2005-0921159.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Nationstar Mortgage, LLC, POA for U.S. Bank National Association be awarded excess proceeds in the amount of \$36,283.01. Since the amount claimed by Nationstar Mortgage, LLC, POA for U.S. Bank National Association exceeds the amount of excess proceeds available, there are no funds available for consideration for the claims from the Riverside County Department of Child Support Services, Franklin J. Love, attorney for Collection Consultants of California, Global Discoveries, Ltd., assignee for Ruben Rodriguez and Global Discoveries, Ltd., assignee for Manuel Flores Espinoza. 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.

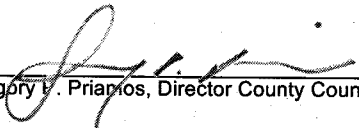
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Impact on Residents and Businesses

Excess proceeds are being released to the Deed of Trust holder of the property.

ATTACHMENTS (if any, in this order):

- ATTACHMENT A. Claim NationstarMortgage**
- ATTACHMENT B. Claim RivCoDCSS**
- ATTACHMENT C. Claim CollectionConsultants**
- ATTACHMENT D. Claim Global Rodriguez**
- ATTACHMENT E. Claim Global Espinoza**



Gregory V. Priamos, Director County Counsel 12/13/2016