

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



ITEM
3.31
(ID # 7975)

MEETING DATE:

Tuesday, October 23, 2018

FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Adopt Resolution No. 2018-206 Granting Approval to the Treasurer-Tax Collector of the County of Riverside to Accept Partial Payment of Taxes Pursuant to Sections 2636, 2708, 2927.6 and 4143 of the Revenue and Taxation Code; All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Adopt Resolution No. 2018-206 granting approval to the Treasurer-Tax Collector of the County of Riverside to accept partial payment of taxes pursuant to Sections 2636, 2708, 2927.6 and 4143 of the Revenue and Taxation Code, and
- 2) Instruct the Clerk of the Board to immediately forward a certified copy of the Board's Resolution to the Treasurer-Tax Collector following Board approval.

ACTION: Policy

A handwritten signature in black ink, appearing to read "Jon Christensen".

Jon Christensen, Treasurer-Tax Collector 10/15/2018

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: October 23, 2018
xc: Treasurer

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

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

BACKGROUND:

Summary

Currently, when a property tax payment is received and it is insufficient to pay the tax due, the funds are placed in a trust account and a letter is generated requesting that the taxpayer remit the amount short. Subsequently, when the shortage is paid, a manual process is necessary to post the payment. In addition, the short payments are not reflected as payments on the tax roll which causes customer service related issues.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment:	N/A
			For Fiscal Year:	18/19

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary (continued)

Historically, over 90% of the shortages are remitted once the taxpayer receives notification. As part of the implementation of the new property tax system (CREST), we will have the ability to apply and post short payments to the tax roll. Our request to allow the acceptance of such short payments will result in the elimination of manual processing when the shortage is paid, increasing payment processing efficiencies. Currently, if the additional amount is not received, our office is obligated by the Revenue and Taxation Code to refund the short payment as it cannot be applied. Authorizing the acceptance of partial payments will decrease the amount of refunds issued, resulting in cost savings for the County in avoiding that processing. In addition, whether or not the amount short is paid, applying the partial payment to the tax roll positively impacts cash flow and allows the Auditor-Controller to apportion these payments to the County's general fund, cities, and special districts. Acceptance of short payments will not be deemed as a redemption and will not alter either the date upon which the property becomes tax defaulted or subject to the power to sell. State law further directs that short payments are to be applied first to all penalties, interest and costs with the balance being applied to the taxes due.

Impact on Citizens and Businesses

This will positively impact the public because their short payments will be posted, tracked, and displayed on the tax roll.

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



Stephanie Posa, Principal Management Analyst 10/16/2018

1 Board of Supervisors

County of Riverside

2
3 RESOLUTION NO. 2018 - 206

4
5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF
6 THE COUNTY OF RIVERSIDE GRANTING APPROVAL TO THE TREASURER-TAX
7 COLLECTOR OF THE COUNTY OF RIVERSIDE TO ACCEPT PARTIAL PAYMENT OF TAXES
8 PURSUANT TO SECTIONS 2636, 2708, 2927.6 AND 4143 OF THE REVENUE AND TAXATION
9 CODE

10
11 WHEREAS, pursuant to Section 2636 of the Revenue and Taxation Code, in the case of a
12 deficiency in the payment of taxes due and payable pursuant to Chapter 2 of Part 5 of Division 1 of the
13 Revenue and Taxation Code, the tax collector, with the approval of the board of supervisors, may accept
14 such partial payment from the taxpayer; and,

15 WHEREAS, pursuant to Section 2636 of the Revenue and Taxation Code, such partial
16 payments are to be applied first to all penalties, interest and costs with the balance being applied to the
17 taxes due; and,

18 WHEREAS, pursuant to Section 2636 of the Revenue and Taxation Code, the difference
19 between the amount paid by the taxpayer and the amount due shall be treated as a delinquent tax in the
20 same manner as any other delinquent tax; and,

21 WHEREAS, pursuant to Section 2708 of the Revenue and Taxation Code, in the case of a
22 deficiency in the payment of taxes due and payable pursuant to Chapter 2.1 of Part 5 of Division 1 of the
23 Revenue and Taxation Code, the tax collector, with the approval of the board of supervisors, may accept
24 such partial payment from the taxpayer; and,

25 WHEREAS, pursuant to Section 2708 of the Revenue and Taxation Code, such partial
26 payments are to be applied first to all penalties, interest and costs with the balance being applied to the
27 taxes due; and,

28 10.23.18 3.31

FORM APPROVED COUNTY COUNSEL
BY: MCT 15 OCT 2018
DATE
MICHAEL C. THOMAS

1 WHEREAS, pursuant to Section 2708 of the Revenue and Taxation Code, the difference
2 between the amount paid by the taxpayer and the amount due shall be treated as a delinquent tax in the
3 same manner as any other delinquent tax; and,

4 WHEREAS, pursuant to Section 2927.6 of the Revenue and Taxation Code, in the case of
5 a deficiency in the payment of taxes due and payable pursuant to Chapter 4 of Part 5 of Division 1 of the
6 Revenue and Taxation, the tax collector, with the approval of the board of supervisors, may accept such
7 partial payment from the taxpayer; and,

8 WHEREAS, pursuant to Section 2927.6 of the Revenue and Taxation Code, such partial
9 payments are to be applied first to all penalties, interest and costs with the balance being applied to the
10 taxes due; and,

11 WHEREAS, pursuant to Section 2927.6 of the Revenue and Taxation Code, the difference
12 between the amount paid by the taxpayer and the amount due shall be treated as a delinquent tax in the
13 same manner as any other delinquent tax; and,

14 WHEREAS, pursuant to Section 4143(a) of the Revenue and Taxation Code, in the case of
15 a deficiency in the payment of taxes due and payable pursuant to Part 7 of Division 1 of the Revenue and
16 Taxation Code, the tax collector, with the approval of the board of supervisors, may accept partial
17 payments from the taxpayer; and,

18 WHEREAS, pursuant to Section 4143(a) of the Revenue and Taxation Code, the partial
19 payments shall be applied first to all penalties, interest, and costs, and the balance, if any, shall be applied
20 to the taxes due; and,

21 WHEREAS, pursuant to Section 4143(a) of the Revenue and Taxation Code, the
22 difference between the amount paid by the taxpayer and the amount due shall be treated as a delinquent
23 tax in the same manner as any other defaulted tax; and,

24 WHEREAS, pursuant to Section 4143(b) of the Revenue and Taxation Code, partial
25 payments made pursuant to Section 4143 of the Revenue and Taxation Code shall not be deemed a
26 redemption, a partial redemption, or an installment payment under Part 7 of Division 1 of the Revenue
27
28

1 and Taxation Code, and they shall not alter either the date upon which the property became tax defaulted
2 or the date the property becomes subject to a power of sale.; and,

3 WHEREAS, pursuant to Section 4143(c) of the Revenue and Taxation Code, partial
4 payments pursuant to Section 4143 of the Revenue and Taxation Code shall not be construed as altering
5 the amount of defaulted taxes for purposes of publications; and,

6 WHEREAS, pursuant to Section 4143(d) of the Revenue and Taxation Code, an
7 installment payment elected by the taxpayer pursuant to Section 4186 *et seq* of the Revenue and Taxation
8 Code shall be based upon the balance of the redemption amount determined pursuant to Section 4143 of
9 the Revenue and Taxation Code; and,

10 WHEREAS, pursuant to Section 4143(e) of the Revenue and Taxation Code, when the
11 taxpayer requests a partial payment, or when the tax collector receives such a payment, the tax collector
12 shall inform the taxpayer of the provisions of subdivision (b) of that section by return mail; and,

13 WHEREAS, the Treasurer-Tax Collector of the County of Riverside now desires to accept
14 partial payments pursuant to Sections 2636, 2708, 2927.6 and 4143 of the Revenue and Taxation Code;

15 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
16 Board of Supervisors of the County of Riverside, in regular session assembled on October 23, 2018 at
17 9:00am or soon thereafter in the meeting room of the Board of Supervisors located on the 1st floor of the
18 County Administrative Center, 4080 Lemon Street, Riverside, California, that the Board of Supervisors of
19 the County of Riverside hereby grants approval to the Treasurer-Tax Collector of the County of Riverside
20 to accept partial payment of taxes due and payable pursuant to Sections 2636, 2708, 2927.6 and 4143 of
21 the Revenue and Taxation Code.

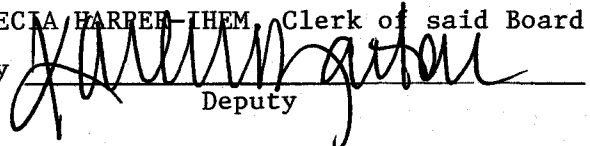
22 ROLL CALL:

23 Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
24 Nays: None
25 Absent: None

26 The foregoing is certified to be a true copy of a resolution duly
27 adopted by said Board of Supervisors on the date therein set forth.

28 KECIA HARPER-HEM, Clerk of said Board

By


Deputy