

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



19.3
(MT 10763)

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Treasurer-Tax Collector regarding the Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 207, Item 1003, is deleted from the agenda.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on April 7, 2020 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: April 7, 2020
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: Kecia R. Harper Deputy

AGENDA NO.
19.3

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



ITEM: 19.3
(ID # 10763)

MEETING DATE:
Tuesday, April 07, 2020

FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 207, Item 1003. Last assessed to: Joe B. Duran, Trustee of the Joe B. Duran Trust (1994). District 4. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from Rita M. Duran and Susana Duran, successor co-trustees of The Joe B. Duran Trust (1994) for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 768381009-8;
2. Deny the claim from the City of Coachella for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 768381009-8;
3. Deny the claims, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.
4. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$79,348.95 to the County General Fund pursuant to Revenue and Taxation Code Section 4674.

ACTION:Policy


Matthew Jennings, Assistant Treasurer-Tax Collector 3/25/2020

MINUTES OF THE BOARD OF SUPERVISORS

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STATE OF CALIFORNIA**

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: N/A			Budget Adjustment:	N/A
			For Fiscal Year:	19/20

C.E.O. RECOMMENDATION: Approve

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 24, 2016 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 14, 2016. 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 10, 2016, 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.

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.

1. Examined title reports to notify all parties of interest attached to the parcel.
2. Researched all last assessees through the County's Property Tax System for any additional addresses.
3. Used Accurant (People Finder) to notify any new addresses that may be listed for our last assessees.
4. 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.
5. Sent out a certified mailing within 90 days as required by Revenue and Taxation Code 4676.

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

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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of the one year following the recordation of the Tax Collector's deed to the Purchaser, which was recorded on July 14, 2016.

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

1. Claim from Rita M. Duran and Susana Duran, successor co-trustees of The Joe B. Duran Trust (1994), based on a Trust Transfer Deed recorded May 19, 1994 as Instrument No. 1994-205787, a copy of The Joe B. Duran Trust dated May 11, 1994, a declaration of the Joe B. Duran Trust (1994), Declaration of Joe B. Duran Re Rexecution of the Joe B. Duran Trust (1994) on July 7, 2004, and the death certificate of Joe Duran.
2. Claim from the City of Coachella, based on copies of bills.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from Rita M. Duran and Susana Duran, successor co-trustees of The Joe B. Duran Trust (1994), be denied due to the claim being received after the July 14, 2017 deadline and deny the City of Coachella since the City of Coachella was not a party of interest at the time of the sale. Since there are no other claimants the unclaimed excess proceeds in the amount of \$79,348.95 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 claimants by certified mail.

Impact on Residents and Businesses

Excess proceeds will be transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Duran

ATTACHMENT B. Claim Coachella

From: rdhenderson@rivco.org <rdhenderson@rivco.org>

Sent: Monday, April 6, 2020 11:03 AM

To: COB <COB@RIVCO.ORG>; sduran80@gmail.com

Subject: Board comments web submission



First Name: Susana
Last Name: Duran
Address (Street, City and Zip): 10359 Stone Court, Mentone 92359
Phone: 909-227-8628
Email: sduran80@gmail.com
Agenda Date: 04/07/2020
Agenda Item # or Public Comment: Agenda Item 19.3 - Tax sale 207, Item 1003: Joe B. Duran

State your position below: Oppose

Comments: The attached email conversation shows that Jennifer Romero, Sr. Accounting Assistant for Excess Proceeds, stated on July 17, 2017 that our claim could be submitted or postmarked by July 18, 2017. She provided this extension on the filing because she was late in responding to an inquiry email that was sent on July 12, 2017. Jennifer confirmed that she received the claim in the attached email conversation dated July 18, 2017.

Will you be dialing into the meeting or just submitting comments for the record?: I will be calling in

Attachments (Must be .pdf, .doc, or .docx): 768381009-8-TC-207-Item-1003-Email-providing-extension-on-submission-date.pdf

Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID # 871439472. Password is 4080. You will be muted until your item is pulled and your name is called. Please dial in ten minutes before the meeting with the phone number you provided in the form so we can identify you during the meeting.

4/7/20 19.3
2020-4-140491

From: Jennings, Matt <MJenning@RIVCO.ORG>
Sent: Tuesday, April 7, 2020 8:01 AM
To: COB <COB@RIVCO.ORG>
Subject: RE: 19.3 Submission and Request to Speak

Good morning. I was just advised that County Counsel, Mr. Priamos, will be responding to ANY of our agenda items as needed (19.1 – 19.17). I submitted a speaker slip last night and will still be calling in as well in case Mr. Priamos needs the department to address anything, although I doubt that will be necessary.

Thank you,

Matt Jennings
(951) 955-3982

From: COB <COB@RIVCO.ORG>
Sent: Monday, April 6, 2020 6:49 PM
To: Jennings, Matt <MJenning@RIVCO.ORG>
Cc: Martin, Abi <abimartin@rivco.org>
Subject: FW: 19.3 Submission and Request to Speak

Hi Matt,

An additional item with a request to speak.

Kecia

Kecia R. Harper, MA, CCB
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951) 955-1061
Kharper@rivco.org (Please note my new email address)
www.rivcocob.org



The County Administrative Center is open Monday through Friday. Business hours for the Clerk of the Board Office are 8:00 a.m. to 5:00 p.m.

This email message including any attachments is intended for the sole viewing and use of the individual or entity to which it is addressed and may contain confidential and privileged information which is prohibited from disclosure. Any unauthorized review, use, disclosure, distribution, or the taking of any action in reliance on the information contained in this email including attachments is prohibited. If you are not the intended recipient you are hereby notified that any dissemination or copy of this message or any attachments is prohibited. If you received a copy of this email in error please notify the sender by reply email immediately and remove all copies of the original message including attachments from your computer.

Maxwell, Sue

From: B Anderson <BAndersonranchomirage@hotmail.com>
Sent: Monday, April 6, 2020 1:10 AM
To: COB
Subject: Re: Board comments web submission
Attachments: Screenshot_20200406-004806.jpg

Dear Clerk of the Board,

Please submit the added attachment (written letter) to be entered for Item: 19-3.

I'm unsure if I will be able to call the long distance telephone number that was listed to use and remain on hold until called. I have very limited resources and very reluctant to waste them on phone service fees to participate in the Public's business.

Thank you,

Brad Anderson | Rancho Mirage, CA. | 760.409.9434 (Cell)

From: rdhenderson@rivco.org <rdhenderson@rivco.org>
Sent: Monday, April 6, 2020 12:59:54 AM
To: cob@rivco.org <cob@rivco.org>; BAndersonranchomirage@hotmail.com <BAndersonranchomirage@hotmail.com>
Subject: Board comments web submission



First Name: Brad
Last Name: Anderson
Address (Street, City and Zip): 37043 FERBER DR Rancho Mirage, Ca 92270
Phone: 7604099434
Email: BAndersonranchomirage@hotmail.com
Agenda Date: 04/07/2020
Agenda Item # or Public Comment: 19-3
State your position below: Oppose
Comments: Oppose staff recommendations (please see submitted written statement)
Will you be dialing into the meeting or just submitting comments for the record?: I will be calling in
Attachments (Must be .pdf, .doc, or .docx): Snapshot-85193.pdf

Thank you for submitting your request to speak. The Clerk of the Board office has received your request and will be prepared to allow you to speak when your item is called. To attend the meeting, please call (669) 900-6833 and use Meeting ID # 871439472. Password is 4080. You will be muted until your item is pulled and your name is called. Please dial in ten minutes before the meeting with the phone number you provided in the form so we can identify you during the meeting.

April 07, 2020

Riverside County Board of Supervisors

County Administration Center

4080 Lemon Street - First Floor Chambers

Riverside, CA. 92501

(951) 955-1069

Attn: Clerk of the Board/Board Members/General Public

Re: Written letter to be entered in to the Public record for the scheduled Regular Board of Supervisors Meeting of April 7, 2020 - Item: 19.3 Distribution of excess property tax sale proceeds of \$79,348.95 from the deceased Mr. Joe B. Duran -Trustee (1994) & (2004) (District 4)

Dear Riverside County Board of Supervisors Members,

Please allow the family members (Successor Co- Trustees) of the late Mr. Joe B. Duran (Trustee) the right and the recorded last wishes of Mr. Duran the Moines due the family members from the Riverside County Treasurer -Tax Collector distribution of the excess proceeds (\$79,348.95) from the sale of private real property located in the City of Coachella, CA.

Rita M. Duran and Susana Duran (Successor Co-Trustees) was able to file the required County claim on the following work day (July 17, 2017-Monday) of the Riverside County Treasurer July 14, 2017 (Friday at 1:14PM) day to record any claim of tax sale excess proceeds.

- 1) Claim was filed one work day after the one year anniversary to make such a claim
- 2) Treasurer filed (stamped) prior to close of day on July 14, 2017
- 3) Treasurer filed (stamped) on July 14, 2017 at the time of 1:14 (the number 4 of 14 was hand written (Modified)

Please refund the \$79,348.95 dollars back to the true and accurate people that are due the funds that are rightfully theirs. The actions of keeping (allocating to the General fund) monies - because of a hard to navigate array of actions that the Public have to perform without legal counsel's assistance is very disharting. And may be precived as dishonest and not in the Public's true best Interests. One work day late (filing claim) and the act of filing early by the County and modifying a court document is suspicious and should be Investigated if the funds are not turned over to the Family member's of Mr. Joe B. Duran.

Sincerely,

Mr. Brad Anderson | Rancho Mirage, CA. | 760.409.9434 (Cell)

Lewis, Tammymae

From: rdhenderson@rivco.org
Sent: Monday, April 6, 2020 1:00 AM
To: COB; Bandersonranchomirage@hotmail.com
Subject: Board comments web submission



First Name: Brad
Last Name: Anderson
Address (Street, City and Zip): 37043 FERBER DR Rancho Mirage, Ca 92270
Phone: 7604099434
Email: Bandersonranchomirage@hotmail.com
Agenda Date: 04/07/2020
Agenda Item # or Public Comment: 19-3
State your position below: Oppose
Comments: Oppose staff recommendations (please see submitted written statement)
Will you be dialing into the meeting or just submitting comments for the record?: I will be calling in
Attachments (Must be .pdf, .doc, or .docx): Snapshot-85193.pdf

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