

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



**ITEM: 19.4
(ID # 11041)**

MEETING DATE:
Tuesday, February 28, 2023

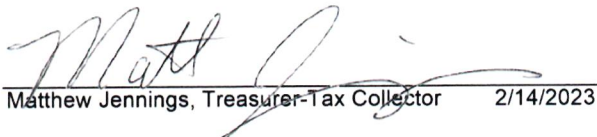
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 207, Item 595. Last assessed to: Juan Cabral. District 5. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from the County of Riverside, Code Enforcement Department for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 528033024-1;
2. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$6,858.73 to the County General Fund pursuant to Revenue and Taxation Code Section 4674.

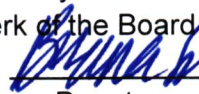
ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 2/14/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: February 28, 2023
xc: Tax Collector

Kimberly Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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:			Budget Adjustment:	N/A
			For Fiscal Year:	22/23

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 Parties of Interest Reports, Assessor's and Recorder's records, as well as other, various research methods 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 Parties of Interest Reports to notify all parties of interest attached to the parcel.
2. Researched all last assessee's through the County's Property Tax System for any additional addresses.
3. Used Accurint (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(b).

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

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 July 14, 2016.

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

1. Claim from the County of Riverside, Code Enforcement Department based on a Notice of Pendency of Administrative Proceedings recorded August 13, 2015 as Instrument No. 2015-0358534 and a Notice of Pendency of Administrative Proceedings recorded on December 24, 2015 as Instrument No. 2015-0556957.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from the County of Riverside, Code Enforcement Department be denied since the recorded liens have been released per Instrument No. 2019-0231313 and Instrument No. 2019-0231314 recorded on June 26, 2019. Since there are no other claimants the unclaimed excess proceeds in the amount of \$6,858.73 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 will be transferred to the County General Fund.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Code


Stephanie Perez, Principal Management Analyst 2/16/2023


Kristine Bell-Valdez, Supervising Deputy County Counsel 1/3/2023

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

RECEIVED
2017 JUL 10 PM 4:57
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 207 Item 595 Assessment No.: 528033024-1

Assessee: CABRAL, JUAN

Situs: 51924 DATE ST CABAZON 92230

Date Sold: May 24, 2016

Date Deed to Purchaser Recorded: July 14, 2016

Final Date to Submit Claim: July 14, 2017

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 1,371.35 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. see below; recorded on . 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.

Document No: 2015-0358534, 05/13/2015 and 2015-0556957, 12/24/2015
Please see attachment for back-up.

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 29th day of June, 2017 at Riverside, CA
County, State


Signature of Claimant

Signature of Claimant

Valerie Lami
Print Name

Print Name

4080 Lennox St, 14th floor
Street Address

Street Address

Riverside, CA 92501
City, State, Zip

City, State, Zip

(951) 955-1836
Phone Number

Phone Number

RECORDING REQUESTED BY:
County of Riverside
Code Enforcement Department

AND WHEN RECORDED MAIL TO:
County of Riverside
Code Enforcement Department
581 South Grand Avenue
San Jacinto, California, 92582
Mail Stop #5002

2015-0358534

08/13/2015 08:00 AM Fee: \$ 0.00

Page 1 of 2

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



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NOTICE OF PENDENCY OF ADMINISTRATIVE PROCEEDINGS

In the matter of the public or other code violation(s) on the property of:
JUAN CABRAL)
and DOES I through X, Owners)

Case #: CV-1301648

NOTICE IS HEREBY GIVEN to all persons, pursuant to Section 14 of Ordinance Number 725 of the County of Riverside, State of California, that administrative proceedings have been commenced with respect to the structure or land located upon the following described real property in the County of Riverside:

ADDRESS: 51924 DATE ST, CABAZON CA, 92230
PARCEL #: 528-033-024
LEGAL DESCRIPTION: 0.12 acres in LOT 78 of CABAZON ESTATES NO 3, recorded in MB 47 page 81

VIOLATION(S): Riverside County Code (Ordinance) 8.120.010 (Ord. 541) ,17.12.040 (Ord. 348) that such proceedings are based upon the noncompliance of such structure or land with the requirements of Riverside County Codes (Ordinances) listed above; and that failure to comply with the lawful orders of the Code Enforcement Director and/or authorized agents of the County of Riverside heretofore and hereafter issued relative to the above matter may result in demolition of the offending structure, abatement of the public nuisance or other available legal remedies and assessment of the costs, expenses, and administrative costs thereof to the property heretofore described as a tax and special assessment lien on such property; that any purchaser, his heirs, or assigns acquiring said property subsequent to the recording of the Notice with the County Recorder shall have such interest subject and subordinate to said tax and assessment lien. **Notice is Further Given** in accordance with Sections 17274 and 24436.5 of the California Revenue and Taxation Code, that a tax deduction may not be allowed for interest, taxes, depreciation or amortization paid or incurred in the taxable year affected by these proceedings.

COUNTY OF RIVERSIDE CODE ENFORCEMENT DEPARTMENT

By: 
Brian Black, Code Enforcement Department

ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

On 7/31/15 before me, Jamison D. Cole, Notary Public, personally appeared Brian Black who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Commission #: 2018834 Expires: May 7, 2017



Signature: Jamison D. Cole (Seal)

RECORDING REQUESTED BY:
County of Riverside
Code Enforcement Department

AND WHEN RECORDED MAIL TO:
County of Riverside
Code Enforcement Department
4080 Lemon Street, 14th Floor
Riverside, California 92501
Mail Stop #1083

2019-0231313

06/26/2019 10:21 AM Fee: \$ 8.00

Page 1 of 1

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



(space for recorder's use)

Exemption from Recording Fee Requested - Pursuant to Government Code Section 6103

RELEASE OF NOTICE OF PENDENCY OF ADMINISTRATIVE PROCEEDINGS

NOTICE IS HEREBY GIVEN THAT THE PROPERTY DESCRIBED AS:

PARCEL #: 528-033-024
OWNER OF RECORD: JUAN CABRAL
SITUS ADDRESS: 51924 DATE ST., CABAZON, CA 92230
LEGAL DESCRIPTION: .12 ACRES IN LOT 78 OF CABAZON ESTATES NO 3, RECORDED IN MB 47 PAGE 81
CASE NUMBER: CV13-01648
INSTRUMENT NUMBER: 2015-0358534

The NOTICE OF PENDENCY OF ADMINISTRATIVE PROCEEDINGS recorded against the above-mentioned property is hereby fully released by the County of Riverside.

COUNTY OF RIVERSIDE CODE ENFORCEMENT DEPARTMENT

By: *Nelly Solis*
Nelly Solis, Code Enforcement Department

ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

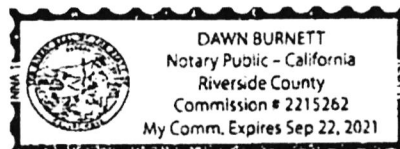
State of California)
County of Riverside)

On 6/18/19 before me, Dawn Burnett, Notary Public, personally appeared Nelly Solis who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: *Dawn Burnett* (Seal)



2015-0556957

12/24/2015 04:18 PM Fee: \$ 0.00

Page 1 of 2

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Peter Aldana
Assessor-County Clerk-Recorder



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County of Riverside
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Mail Stop #5002

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NOTICE OF PENDENCY OF ADMINISTRATIVE PROCEEDINGS

Case #: CV-1504399

In the matter of the public or other code violation(s) on the property of:
JUAN CABRAL)
and DOES I through X, Owners)

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COUNTY OF RIVERSIDE CODE ENFORCEMENT DEPARTMENT

By: 
Brian Black, Code Enforcement Department

ACKNOWLEDGEMENT

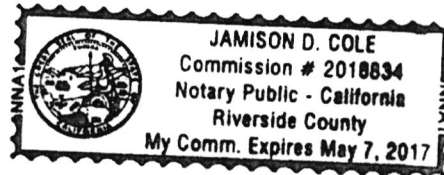
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State of California)
County of Riverside)

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County of Riverside
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Mail Stop #1083

2019-0231314

06/26/2019 10:21 AM Fee: \$ 8.00

Page 1 of 1

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Peter Aldana
Assessor-County Clerk-Recorder



(space for recorder's use)

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OWNER OF RECORD: JUAN CABRAL
SITUS ADDRESS: 51924 DATE ST., CABAZON, CA 92230
LEGAL DESCRIPTION: .12 ACRES IN LOT 78 OF CABAZON ESTATES NO 3, RECORDED IN MB 47 PAGE 81
CASE NUMBER: CV15-04399
INSTRUMENT NUMBER: 2015-0556957

The NOTICE OF PENDENCY OF ADMINISTRATIVE PROCEEDINGS recorded against the above-mentioned property is hereby fully released by the County of Riverside.

COUNTY OF RIVERSIDE CODE ENFORCEMENT DEPARTMENT

By: *Nelly Solis*
Nelly Solis, Code Enforcement Department

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County of Riverside)

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