

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



ITEM: 19.26
(ID # 23233)

MEETING DATE:
Tuesday, February 27, 2024

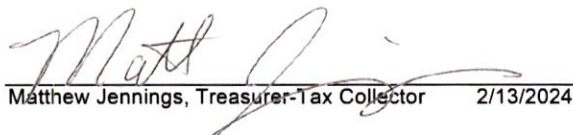
FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 217, Item 4559. Last assessed to: Luis A. Diaz. District 4. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Deny the claim from the State of California, Employment Development Department for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 517040007; and,
2. Authorize and direct the Treasurer-Tax Collector to transfer the unclaimed excess proceeds in the amount of \$11,249.77 to the County General Fund pursuant to Revenue and Taxation Code Section 4674.

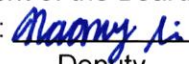
ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 2/13/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez 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 27, 2024
xc: Tax Collector

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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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:			Budget Adjustment:	N/A
			For Fiscal Year:	23/24

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 18, 2021 public auction sale. The deed conveying title to the purchasers at the auction was recorded July 28, 2021. 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 4, 2021 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).

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

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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 28, 2021.

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

1. Claim from the State of California, Employment Development Department based on an Abstract of Judgment recorded September 21, 2011 as Instrument No. 2011-0417686.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that the claim from the State of California, Employment Development Department be denied since their judgment is against a debtor unrelated to the last assessee or the property sold. Since there are no other claimants, the unclaimed excess proceeds in the amount of \$11,249.77 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 EDD


Cesar Bernal, PRINCIPAL MGMT ANALYST 2/16/2024


Aaron Gettis, Deputy County Counsel 11/2/2023

Letter ID: L0369691152
Issued Date: September 13, 2021
Case ID:

ATTN: 4TH FLOOR, MATTHEW JENNINGS
COUNTY OF RIVERSIDE COUNTY ADMINISTRATIVE CENTER
PO BOX 12005
RIVERSIDE CA 92502-2205

CLAIM FOR EXCESS FUNDS FROM THE SALE OF TAX-DEFAULTED PROPERTY

Trustor Name: LUIS DIAZ

Mapbook/Page/Parcel Number: 517040007/517340003/517174002

Sale Number: 217

Item Number: 4559/4567/4565

Claimant: Employment Development Department

Reference Numbe

Address: 800 Capitol Mall, PO Box 826218, Sacramento, CA 94230-6218

Phone Number: 1-916-431-5593

Claimant ID:

The following amounts were secured by a Deed of Trust or lien on the above-referenced property immediately prior to the senior Deed of Trust holder's foreclosure sale, and these amounts remain outstanding to this date:

Unpaid Principle Balance:	\$3,663.40
Interest from 08/30/11 to 05/03/21 10% per Annum:	\$1,224.31
Court Costs:	\$293.00
Prejudgement Interest:	\$153.79
Less Credit(s) Received:	\$2,818.00
Total Due:	\$2,516.50

EDD



DE 6748

PO BOX 826218, MIC 91-C
SACRAMENTO, CA 94230-6218



Letter ID: L0369691152

Issued Date: September 13, 2021

Case ID:

ATTN: 4TH FLOOR, MATTHEW JENNINGS
COUNTY OF RIVERSIDE COUNTY ADMINISTRATIVE CENTER
PO BOX 12005
RIVERSIDE CA 92502-2205

× Document evidencing the claim (Attached).

Document indicating the claim has been fully released (Attached).

If you have any questions, please contact me at the phone number below.

Sincerely,

Carole Koehler
1-916-431-5593

Department Representative

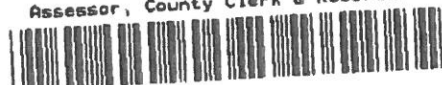
S110834053

RECORDING REQUESTED BY:

X

STATE OF CALIFORNIA
EMPLOYMENT DEVELOPMENT DEPARTMENT
BENEFIT OVERPAYMENT COLLECTION
SECTION, MIC 91
P.O. BOX 826218, SACRAMENTO, CA 94230-6218
TELEPHONE NO: 1-800-676-5737

X DOC # 2011-0417686
X 09/21/2011 08:00A Fee:NC
Page 1 of 3
Recorded in Official Records
County of Riverside
Larry W. Ward
Assessor, County Clerk & Recorder



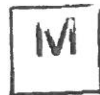
WHEN RECORDED MAIL TO:

X

STATE OF CALIFORNIA
EMPLOYMENT DEVELOPMENT DEPARTMENT
BENEFIT OVERPAYMENT COLLECTION
SECTION, MIC 91
P.O. BOX 826218, SACRAMENTO, CA 94230-6218

[Handwritten signature]

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)



X ABSTRACT OF JUDGMENT
DOCUMENT TITLE

SEPARATE PAGE, PURSUANT TO GOVT. CODE 27361.6

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number): 1-800-676-5737
Recording requested by and return to: S110834053

STATE OF CALIFORNIA, EMPLOYMENT DEVELOPMENT DEPARTMENT
BENEFIT OVERPAYMENT COLLECTION SECTION, MIC B1
800 CAPITOL MALL, P.O. BOX 826218, SACRAMENTO, CA 94230-6218

ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

STREET ADDRESS: 720 NINTH STREET, ROOM 104
MAILING ADDRESS: 720 NINTH STREET, ROOM 104
CITY AND ZIP CODE: SACRAMENTO, CA 95814
BRANCH NAME: SACRAMENTO - CIVIL

FOR RECORDER'S USE ONLY

PLAINTIFF: STATE OF CALIFORNIA, EMPLOYMENT DEVELOPMENT DEPARTMENT
DEFENDANT: LUIS S. DIAZ

CASE NUMBER: 34-2011-90034053

ABSTRACT OF JUDGMENT - CIVIL AND SMALL CLAIMS Amended

FOR COURT USE ONLY

1. The judgment creditor assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

LUIS S. DIAZ
PO BOX 165
INDIO CA 92202-0165

b. Driver's license no. (last 4 digits) and state:

Unknown

c. Social security no. (last 4 digits): XXX-XX-1437

Unknown

d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): (Same as line 1.a. above)

2. Information on additional judgment debtors is shown on page 2.

4. Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address):

State of California
Employment Development Department
P.O. Box 826218, Sacramento, CA 92430-6218

5. Original abstract recorded in this county:

a. Date:
b. Instrument No.:

Date: 08/30/11

R. Leon
(TYPE OR PRINT NAME)

R. Leon
(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 1,262.19

10. An execution lien attachment lien is endorsed on the judgment as follows:

7. All judgment creditors and debtors are listed on this abstract.

a. Amount: \$

b. In favor of (name and address):

8. a. Judgment entered on (date): 08/30/11

b. Renewal entered on (date):

11. A stay of enforcement has

a. not been ordered by the court.

b. been ordered by the court effective until (date):

9. This judgment is an installment judgment.

12. a. I certify that this is a true and correct abstract of the judgment entered in this action.

b. A certified copy of the judgment is attached.

[SEAL]



This abstract issued on (date):

08/30/11

Clerk, by *ML*, Deputy

PLAINTIFF:	CASE NUMBER:
DEFENDANT: LUIS S. DIAZ	

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

- _____ 13. Judgment creditor (name and address):
- _____ 14. Judgment creditor (name and address):

- _____ 15. Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

<p>16. Name and last known address</p> <div style="border: 1px solid black; width: 150px; height: 60px; margin: 5px 0;"></div> <p>Driver's license no. [last 4 digits] and state: <input type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>	<p>17. Name and last known address</p> <div style="border: 1px solid black; width: 150px; height: 60px; margin: 5px 0;"></div> <p>Driver's license no. [last 4 digits] and state: <input type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>
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<p>18. Name and last known address</p> <div style="border: 1px solid black; width: 150px; height: 60px; margin: 5px 0;"></div> <p>Driver's license no. [last 4 digits] and state: <input type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>	<p>19. Name and last known address</p> <div style="border: 1px solid black; width: 150px; height: 60px; margin: 5px 0;"></div> <p>Driver's license no. [last 4 digits] and state: <input type="checkbox"/> Unknown</p> <p>Social security no. [last 4 digits]: <input type="checkbox"/> Unknown</p> <p>Summons was personally served at or mailed to (address):</p>
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20. Continued on Attachment 20.