

Memorandum
Office of Jenine Windeshausen
Treasurer-Tax Collector



TO: Board of Supervisors

DATE: July 6, 2021

FROM: Jenine Windeshausen Treasurer-Tax Collector

SUBJECT: Distribution of Excess Proceeds from 2019 Tax Defaulted Land Sale

ACTION REQUESTED: Adopt a resolution authorizing the Tax Collector to distribute excess proceeds to claimants from the 2019 tax-defaulted land sales in the amount of \$100,999.05, and the collection of \$56.36 in County fees for administration of excess proceeds pursuant to California Revenue and Taxation Code Sections 4671 through 4676.

BACKGROUND: California Revenue and Taxation Code Section 4674 specifies that the amount received for properties sold at tax-defaulted land sale in excess of the amount necessary to redeem defaulted tax amounts and certain other costs be held in trust for one year from the time a tax deed is recorded. During this one-year period, lien holders of record and the prior owner may file a claim for excess proceeds. After the sale, the Tax Collector notifies all parties of interest of available proceeds by certified mail and includes a form for filing a claim for excess proceeds.

California Revenue and Taxation Code Section 4675 establishes the priority in which proceeds are to be distributed. Any unclaimed proceeds are to be deposited in the County Tax Loss Reserve. The Tax Collector has reviewed the claims received with County Counsel and determined the appropriate distribution of excess proceeds. The Attachment A of the Resolution details the amount of excess proceeds and the distribution of funds recommended by the Tax Collector for claims received. A final status of lien holders of record will be checked prior to the distribution. All necessary statutory publications have been completed.

The distribution of excess proceeds to the claimants will be prepared no sooner than 90 days following Board approval. Section 4675 provides this time-period to allow for any action or proceeding to review this decision of the Board of Supervisors.

FISCAL IMPACT: There is no fiscal impact as these proceeds have been rightfully claimed by the lien holders.

Attachments:

Resolution Authorizing Distribution of Excess Proceeds

Before the Board of Supervisors County of Placer, State of California

In the matter of:

Adopt a resolution authorizing the Tax Collector to distribute excess proceeds to claimants from the 2019 tax-defaulted land sales.

Resolution No.: _____

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held July 6, 2021, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, the Placer County Treasurer-Tax Collector held a tax-defaulted land sale on October 1, 2019; and

WHEREAS, properties with defaulted property taxes in excess of five years were offered for sale to recover the defaulted taxes and costs associated with delinquency and default (the "Defaulted Amount"); and

WHEREAS, certain properties were sold in an amount in excess of the amount necessary to recover the Defaulted Amount; and

WHEREAS, the Treasurer-Tax Collector identified and provided proper notice and forms for claiming excess proceeds; and

WHEREAS, the Treasurer-Tax Collector has reviewed the claims received and determined the distribution of available excess proceeds pursuant to California Revenue and Taxation Code Section 4675.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors, County of Placer, State of California, that approval to distribute excess proceeds from the 2019 tax-defaulted land sales is hereby granted. Jenine Windeshausen, Placer County Treasurer-Tax Collector, is directed to distribute excess proceeds described in Attachment A as provided by law pursuant to the California Revenue and Taxation Code Sections 4671 through 4676.

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ATTACHMENT A

Assessor's Parcel # 003-041-007-000

Minimum Bid \$ 19,200.00

Sale Amount (winning bid): \$120,000.00

Taxes, Costs & Fees Paid: \$ 19,000.95

Excess Proceeds Available: \$100,999.05

Distribution of all Available Excess Proceeds to Anthony Graupensperger