

Memorandum
Office of Jenine Windeshausen
Treasurer-Tax Collector



To: The Board of Supervisors
From: Jenine Windeshausen, Treasurer-Tax Collector
Date: July 12, 2022
Subject: Approval to Sell Tax-Defaulted Property

Action Requested

Approve a resolution pursuant to Chapter 7, Part 6, Division 1 of California Revenue and Taxation Code authorizing the sale of tax-defaulted property, by sealed bid or public auction for the stated minimum bid, listed on Exhibit A of the Resolution, and further authorize the Tax Collector to re-offer and sell any parcel at a minimum bid lower than the stated minimum bid if no offers are received at the minimum bid.

Background

Subject to approval of the Board of Supervisors, the Tax Collector plans to conduct a sealed bid sale for eligible parcels on Wednesday, September 21, 2022, and a public auction for all other parcels and unsold sealed bid parcels on Thursday, September 29, 2022. To avoid sale, parcels subject to sealed bid must be redeemed by 5:00 p.m. on Tuesday, September 20, 2022. Parcels subject to public auction must be redeemed by 5:00 p.m. on Wednesday, September 28, 2022.

The sale of tax-defaulted property is governed by Chapter 7, Part 6, Division 1 of California Revenue and Taxation Code. Secured real property becomes subject to the Tax Collector's power to sell five years from the date property is declared tax defaulted. The Tax Collector is required to wait until after the fifth year of default to offer the property for sale and is required to offer the property for sale before the seventh year of default. The purpose of offering property at public auction is to collect unpaid property taxes and return the property to a revenue-generating status by conveying the property to a responsible owner. In advance of the tax-defaulted land sale, the Tax Collector is required to provide notification of the Tax Collector's power and intent to sell property to the assesses and parties of interest found in the public record.

Currently, there are 48 parcels planned for sale. The first year a parcel is offered at tax-defaulted land sale, the minimum selling price must be based on the redemption amount plus costs associated with the sale. Pursuant to Revenue and Taxation Code §3698.5, the Tax Collector may, with Board approval, re-offer any unsold parcels at a minimum bid lower than the initial minimum bid to stimulate bidding and effect the sale of unsold parcels. The parcels in the following table have been offered in at least one prior tax-defaulted land sale. Some have been offered at least three times without receiving any responsive bids. These parcels will be offered at a minimum bid of \$100 in hopes of stimulating bidding to rise to the amount necessary to achieve the redemption amount. For any parcels sold below the redemption amount, the difference between the redemption amount and the amount received at sale will be transferred from the Tax Loss Reserve Fund to cover the difference.

| Item No. | Assessor's Parcel No. | Assessee | Minimum Bid | Redemption Amount |
|----------|-----------------------|------------------------------------|-------------|-------------------|
| 1 | 004-061-011-000 | JORJORIAN ARA A ET AL | \$100 | \$2,100 |
| 3 | 006-022-002-000 | GRACELYNN INTERPRISE INC | \$100 | \$30,200 |
| 20 | 045-013-005-000 | HANZLICK FAMILY PARTNERSHIP ET AL | \$100 | \$133,900 |
| 21 | 045-013-022-000 | HANZLICK FAMILY PARTNERSHIP ET AL | \$100 | \$1,791,200 |
| 22 | 045-021-045-000 | HANZLICK FAMILY PARTNERSHIP ET AL | \$100 | \$304,300 |
| 29 | 074-030-071-000 | SYREK THELMA & FARKAS MARGARET | \$100 | \$3,100 |
| 34 | 103-190-002-530 | ONE VILLAGE MEXICO S DE R L DE C V | \$100 | \$31,200 |
| 35 | 103-190-003-570 | CUATRO TAHOE OVP RESIDENTS LLC | \$100 | \$31,800 |
| 36 | 103-190-003-600 | CUATRO TAHOE OVP RESIDENTS LLC | \$100 | \$25,100 |

Four of the 48 parcels are currently planned for sale by sealed bid. A parcel is eligible for sealed bid if the parcel is deemed unusable, except to adjacent parcel owners, because of the parcel's size, location or other conditions. More parcels may be identified for sealed bid if new information causes the Tax Collector to deem the parcel eligible for sale by sealed bid. As specified by law, the Tax Collector is the only officer authorized to determine the criteria used to establish the minimum bid.

Parcels sold for more than the redemption amount result in "excess proceeds". Excess proceeds are subject to claim by the assessee and parties of interest on the public record on a priority lien basis. For any parcels with excess proceeds, the Tax Collector sends a notification of excess proceeds and claim forms to the assessee and all parties of interest. After one year, the distribution of excess proceeds commences, and any unclaimed excess proceeds are transferred to the County General Fund as specified by law. According to the Teeter Plan, balances in the Tax Loss Reserve Fund are used to pay the amount necessary to cover shortfalls caused by parcels sold for less than the amount necessary to recover the unpaid taxes and fees.

Fiscal Impact

The sale of the 48 parcels currently eligible for sale represent an estimated outstanding unpaid property tax amount of \$2,931,148.57. Costs incurred for the land sale and other collection efforts for each parcel are included in the minimum bid. Any fiscal impact will be to the Tax Loss Reserve Fund under the Teeter Plan. Redemption amounts are deposited in the Tax Loss Reserve Fund. Shortfalls in the redemption amount are offset by a transfer from the Tax Loss Reserve Fund. After one year any unclaimed excess proceeds will be transferred to the County General Fund after a one-year holding period as required by law. The amount of unclaimed proceeds, if any, is unknown.

Attachments

Attachment A:

Resolution Authorizing Sale of Tax-Defaulted Property by Sealed Bid or Public Auction

Exhibit 1:

Notice of Sale of Tax-Defaulted Property (Public Notice in Substantially Final Form)

Attachment 1 to Exhibit 1: List of Tax-Defaulted Land Sale Properties

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

In the matter of:

Authorizing the Sale of Tax-Defaulted
Property by Sealed Bid or Public Auction

Resolution No.: _____

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held July 12, 2022, 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, Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code requires tax defaulted properties to be offered for sale by the Tax Collector and provides for the noticing and procedures required for the sale of tax defaulted properties; and

WHEREAS, the Tax Collector has identified properties subject to tax defaulted land sale, and has planned a public auction for September 29, 2022, for those parcels; and

WHEREAS, tax defaulted properties that meets certain criteria may be sold by sealed bid pursuant to California Revenue and Taxation Code Section 3692(c); and

WHEREAS, the Tax Collector has identified properties subject to sealed bid, and has planned a sealed bid sale for September 21, 2022; and

WHEREAS, upon further research and discovery additional parcels listed on Attachment A scheduled for sale at public auction on September 29, 2022, may be eligible and offered for sale by sealed bid; and

WHEREAS, properties that do not receive bids at sealed bid sale on September 21, 2022, may be offered for sale publicly on September 29, 2022; and

WHEREAS, with Board approval, the Tax Collector may re-offer any unsold parcels at a minimum bid lower than the initial minimum bid to effect sale of the parcels; and

WHEREAS, the Tax Collector will provide notice of the sale of property by sealed bid and public auction.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors, County of Placer, State of California, approval for sale of tax-defaulted property by sealed bid on September 21, 2022, and by public auction on September 29, 2022, is hereby granted. The Placer County Treasurer-Tax Collector is authorized to sell the property described in Attachment 1 to Exhibit 1 at sealed bid or by public auction. The Tax Collector is further authorized to re-offer for sale any properties at a minimum bid lower than the stated minimum price.

Exhibit 1:

Notice of Sale of Tax-Defaulted Property (Public Notice in Substantially Final Form)

Attachment 1 to Exhibit 1:

List of Tax-Defaulted Land Sale Properties

EXHIBIT 1

NOTICE OF SALE OF TAX-DEFAULTED PROPERTY

Made pursuant to Section 3702, Revenue and Taxation Code
[Substantially Final Form]

On July 12, 2022, I, Jenine Windeshausen, Placer County Tax Collector, was authorized to conduct a sealed bid and public auction sale by the Board of Supervisors of Placer County, California. The tax-defaulted properties listed below are subject to the Tax Collector's power of sale and have been approved for sale by a resolution dated July 12, 2022, of the Placer County Board of Supervisors.

For parcels eligible for sealed bid, submitted sealed bids will be opened and the properties sold at 2:00 p.m. on Wednesday, September 21, 2022, in the upper lobby of the Larry Oddo Building, 2976 Richardson Drive, Auburn, California, 95603. The property will be sold to the highest bidder among the eligible bidders. Parcels not sold by sealed bid on Wednesday, September 21, 2022, will be offered for sale at the public auction to be held on Thursday, September 29, 2022.

All other parcels will be sold at public auction. The public auction will be conducted at 9:00 a.m. on September 29, 2022, in the Planning Commission hearing room located at 3091 County Center Drive, Auburn, California. Parcels will be sold to the highest bidder for cash in lawful money of the United States or negotiable paper, for not less than the minimum bid as shown on this notice. If no bid is received, any parcels may be re-offered at the end of the auction at a minimum price appropriate to stimulate competitive bidding.

Properties redeemed (paid) in full by Tuesday, September 20, 2022, at 5:00 p.m. will not be sold at sealed bid. The right of redemption will cease at that time and properties not redeemed will be sold. If a parcel is not sold, the right of redemption revives up to the close of business on the last day prior to the next scheduled sale (Thursday, September 29, 2022). The right of redemption will cease on September 28, 2022, at 5:00 p.m. and properties not redeemed will be offered for sale at public auction. If the parcel is not sold, the right of redemption will revive and continue up to the close of business of the last business day prior to the next scheduled sale.

If a stay of bankruptcy is active on a parcel as of the date of the tax-defaulted land sale, the property will be removed prior to the sale. The filing of a bankruptcy does not operate as a stay regarding the issuance of this notice pursuant to 11 U.S.C. Sections 362(b)(9)(B) and/or 362(b)(9)(D). No action will be taken against any property or property owner that would violate the automatic stay provided for under the US Bankruptcy Code.

If the properties are sold, parties of interest, as defined in California Revenue and Taxation Code Section 4675, have a right to file a claim with the county for any excess proceeds from the sale. Excess proceeds are the amount of the highest bid in excess of the liens and costs of the sale, which are paid from the sale proceeds.

More information may be obtained by contacting the Tax Collector at 2976 Richardson Dr., Auburn, California, 95603 or calling (530) 889-4127 or (530) 889-4129. Land Sale information is available at www.placer.ca.gov/tax/landsale.

PARCEL NUMBERING SYSTEM EXPLANATION

The Assessor's Parcel Number (APN), when used to describe property in this list, refers to the assessor's map book, the map page, the block on the map (if applicable), and the individual parcel on the map page or in the block. The assessor's maps and an explanation of the parcel numbering system are available in the assessor's office located at 2980 Richardson Dr., Auburn, California, 95603.

The properties that are the subject of this notice are situated in Placer County, California, and are described as follows in Attachment 1.

**Attachment 1
List of Tax-Defaulted Land Sale Parcels**

| Item No. | Assessor's Parcel No. | Assessee | Minimum Bid |
|-----------------|------------------------------|---|--------------------|
| 1 | 004-061-011-000 | JORJORIAN ARA A ET AL | \$100 |
| 2 | 004-350-022-000 | BURTON BERNARD | \$49,400 |
| 3 | 006-022-002-000 | GRACELYNN INTERPRISE INC | \$100 |
| 4 | 008-211-004-000 | GARVEY DAVID | \$45,100 |
| 5 | 010-101-013-000 | YEN ANGELA | \$4,800 |
| 6 | 014-013-017-000 | TAFOYA PHILLIP E ET AL | \$5,400 |
| 7 | 019-162-014-000 | NICHOLS DOLLY ALLENE | \$2,400 |
| 8 | 019-193-020-000 | WEST PATRICIA ANN | \$25,800 |
| 9 | 019-202-014-000 | CLARK CHARLES O TR EST OF | \$2,300 |
| 10 | 020-145-022-000 | MILLIN BRIAN THOMAS | \$12,400 |
| 11 | 023-303-029-000 | MELROSE MARY ANN | \$45,700 |
| 12 | 026-071-090-000 | COON CREEK ESTATES LLC | \$4,600 |
| 13 | 026-071-091-000 | COON CREEK ESTATES LLC | \$2,400 |
| 14 | 026-071-092-000 | COON CREEK ESTATES LLC | \$4,400 |
| 15 | 026-071-093-000 | COON CREEK ESTATES LLC | \$4,400 |
| 16 | 032-133-021-000 | TANSON KATHERINE TRUSTEE | \$32,800 |
| 17 | 042-231-005-000 | ALBRECHT DONALD L | \$9,300 |
| 18 | 044-073-004-000 | GARCIA DAVID | \$37,800 |
| 19 | 045-013-005-000 | HANZLICK FAMILY PARTNERSHIP ET AL | \$100 |
| 20 | 045-013-022-000 | HANZLICK FAMILY PARTNERSHIP ET AL | \$100 |
| 21 | 045-021-045-000 | HANZLICK FAMILY PARTNERSHIP ET AL | \$100 |
| 22 | 045-230-002-000 | REGALADO JOHN & MARJORIE ANN | \$30,000 |
| 23 | 062-084-003-520 | LANDRUM MICKEY | \$2,400 |
| 24 | 062-084-003-530 | LIND ROBERT | \$1,600 |
| 25 | 062-282-026-520 | BARTEL KENNETH L | \$13,200 |
| 26 | 062-282-027-520 | BARTEL KENNETH L | \$14,400 |
| 27 | 063-430-060-000 | WINKLE LINDA | \$11,100 |
| 28 | 074-030-071-000 | SYREK THELMA & FARKAS MARGARET | \$100 |
| 29 | 074-203-006-000 | HOTEA ALEXANDRU | \$2,900 |
| 30 | 097-030-003-000 | SECOND PROSPECT LLC SYLVAN SLOPE SERIES | \$7,000 |
| 31 | 099-170-010-000 | WARD JUSTIN MARTIN | \$29,300 |
| 32 | 100-020-018-000 | HAMPSHIRE STACY & MARK | \$1,800 |

Attachment A - Continued

| | | | |
|----|-----------------|--------------------------------------|----------|
| 33 | 103-190-002-530 | ONE VILLAGE MEXICO S DE R L DE C V | \$100 |
| 34 | 103-190-003-570 | CUATRO TAHOE OVP RESIDENTS LLC | \$100 |
| 35 | 103-190-003-600 | CUATRO TAHOE OVP RESIDENTS LLC | \$100 |
| 36 | 330-100-015-000 | JORDAN-ANDERSON LESLIE ANN | \$79,800 |
| 37 | 338-080-040-000 | SILVERMAN DIANE TRUSTEE | \$28,300 |
| 38 | 469-130-023-000 | RICE JACK TTEE ET AL | \$2,700 |
| 39 | 469-130-034-000 | RICE JACK TTEE ET AL | \$2,500 |
| 40 | 469-130-035-000 | RICE JACK TTEE ET AL | \$2,500 |
| 41 | 469-130-036-000 | RICE JACK TTEE ET AL | \$2,400 |
| 42 | 469-130-037-000 | RICE JACK TTEE ET AL | \$2,400 |
| 43 | 469-190-010-000 | DARROCHHARBERT ANN M | \$28,100 |
| 44 | 469-200-013-000 | RICE JACK TTEE ET AL | \$2,700 |
| 45 | 469-200-024-000 | RICE JACK TTEE ET AL | \$3,000 |
| 46 | 476-040-001-000 | OLIN JUDITH ANN | \$35,400 |
| 47 | 476-040-088-000 | BAGAOISAN ELMER E & BAGAOISAN INES M | \$7,300 |
| 48 | 478-141-003-000 | SANDERS VICTORINE M | \$17,800 |