



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Treasurer-Tax
Collector-Public
Administrator
Department No.: 065
For Agenda Of: April 3, 2012
Placement: Departmental
Estimated Tme: 10 Minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Select_From Harry E. Hagen, CPA, CPFO, CPFIM
Treasurer-Tax Collector-Public Administrator
Contact Info: Clinton P. Donati,
Assistant Treasurer-Tax Collector-Public Administrator

SUBJECT: **Auction of Tax-Defaulted Property Subject to the Power of Sale**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Select_Other

As to form:

Recommended Actions:

- a. Receive and accept the attached Notice of Intention to Sell Tax-Defaulted Property and Request for Approval from the Treasurer-Tax Collector; and
- b. Adopt the attached Resolution Approving a Tax Sale, by Public Auction, of Tax-Defaulted Property.

Summary Text:

The Treasurer-Tax Collector is required to give notice to the Board of Supervisors of his intention to sell tax-defaulted property at public auction on June 26, 2012 according to Revenue & Taxation Code section 3698. Upon receiving such notice, the Board of Supervisors may approve by resolution the sale of the tax-defaulted property set forth in the notice.

In the event that a parcel remains unsold at the end of the auction, including if it is offered at a reduced minimum price - pursuant to Revenue & Taxation Code Section 3698.5 - the unsold parcel is approved to be re-offered at a new sale within 90 days of the original sale date, pursuant to Revenue and Taxation Code Section 3692(e), with the option to offer the remaining parcel at a reduced minimum price, pursuant to Revenue and Taxation Code Section 3698.5.

Background:

Parcels have a five-year redemption period in California after they become tax-defaulted. This parcel first became tax-defaulted on June 30, 2003 and was not redeemed during the five-year redemption period. It has been recorded in a power-to-sell status, and the Treasurer-Tax Collector has made numerous collection attempts. Sale of this tax-defaulted parcel is mandated by Revenue and Taxation Code Section 3692, but the sale process will be terminated if the entire amount due is paid prior to June 25, 2012 at 5:00 p.m.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: Sale of the property will allow the county to recover the delinquent taxes, penalties and costs.

Special Instructions:

On behalf of the Board of Supervisors, the Clerk of the Board shall transmit a certified copy of the resolution to the Treasurer-Tax Collector within five days after the Board's action, pursuant to Revenue & Taxation Code section 3699.

Attachments:

Notice of Intention to Sell Tax-Defaulted Property and Request for Approval, and Resolution Approving A Tax Sale, by Public Auction, of Tax-Defaulted Property.

Authored by:

Clinton P. Donati, Assistant Treasurer-Tax Collector-Public Administrator

cc: