

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

September 26, 2023

FROM

SHARON NEVINS, Director, Department of Aging and Adult Services

SUBJECT

Contracts for Public Guardian-Conservator Real Estate Broker Services

RECOMMENDATION(S)

Approve contracts with the following agencies to provide real estate broker services for Public Guardian conservatees for the period of October 1, 2023 through September 30, 2026:

1. S.H. Spectrum, Inc. dba Spectrum Realty Services, **Contract No. 23-1057**
2. Trusted Realty Advisors, **Contract No. 23-1058**

(Presenter: Sharon Nevins, Director, 891-3917)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

This item does not require Discretionary General Funding (Net County Cost). Real estate broker services are paid on a fee-for-service basis (commission) from the proceeds of the sale of an estate's real property. The conservatee's share of the sale will be deposited in a bank account administered by the Office of the Public Guardian (OPG).

BACKGROUND INFORMATION

The OPG/The Public Guardian-Conservator is appointed by the Superior Court of California to administer conservatorships for a person and/or an estate. Sworn personnel with OPG arrange for custodial care and administer estates of gravely disabled or other incompetent persons by appointment of the courts and serve as guardians of conservatees' property and financial assets, and coordinate legal or social services on behalf of conservatees. The OPG maintains an accurate and detailed accounting of assets, income received, and disbursements made for each conservatee. The goal of OPG is to ensure the physical and financial safety of incompetent and mentally disabled persons who meet the criteria for conservatorship, as required by law, when there is no viable alternative to public conservatorship. It often becomes necessary to liquidate the estates of conservatees who are residents of San Bernardino County. As prescribed by California Probate Codes, a conservatee may have real property that may need to be sold to provide for their personal needs and care.

Real property that is sold on behalf of a conservatee must be handled by a real estate broker who is authorized to act as an agent for the sale of the land, including buildings and/or unimproved land. Real property is appraised by a court-appointed Probate Referee of the State of California. The appraised value becomes the "asking price". Bids are submitted to the real

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Services
September 26, 2023**

estate broker, who then submit the bids to OPG. The OPG will review for the highest bid within court guidelines under the California Probate Code, which states nothing less than 90% of the current appraised value can be accepted. All sales are subject to court confirmation and are legally binding once confirmed. The OPG serves approximately 12-15 clients per year in this capacity.

PROCUREMENT

On April 19, 2023, the County Administrative Office approved and authorized Human Services (HS) to release a Request for Qualifications (RFQ) to solicit applications from qualified agencies to provide real estate broker services on behalf of the OPG. The RFQ was advertised through the County's Electronic Procurement Network (ePro) and was released on April 25, 2023 (Bid No. DAAS123-OAAGI-4959). The deadline for applications was June 5, 2023. HS received two qualified applications from the following agencies in response to the RFQ:

| Bidder/Proposer | Experience | Marketing Plan | Area(s) of Service |
|-------------------------|--|---|------------------------------|
| S.H. Spectrum, Inc. | 32 years, 19 years in probate, 14 years with San Bernardino County Public Guardian | Online ads, such as Adwords and Facebook, ListHub, virtual tours, flyers, Multiple Listing Service, ProxioPro | All of San Bernardino County |
| Trusted Realty Advisors | 41 years, 19 years in probate, five years with San Bernardino County Public Guardian | Multiple Listing Service, Zillow, Trulia, Move.com, etc., invitation to purchase | All of San Bernardino County |

An evaluation of the applications for meeting the minimum requirements was completed by HS and OPG. The applications were evaluated based on experience, areas of service, marketing plan, and ability to meet the needs of the County. Based on these criteria, both agencies are recommended for award. No other applications were received.

Approval of this item would allow the County to contract with the agencies listed in the recommendation, to provide real estate broker services throughout the county for the period of October 1, 2023 through September 30, 2026. Contracts may be extended for two additional one-year periods. These contracts may be terminated without cause by the County with 30 days advanced notice to the Contractor.

REVIEW BY OTHERS

This item has been reviewed by Human Services (Patty Steven, Contracts Manager, 388-0241) on August 21, 2023; County Counsel (Jacqueline Carey-Wilson, Deputy County Counsel, 387-5455) on September 5, 2023; Finance (John Hallen, Administrative Analyst, 388-0208) on September 5, 2023; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on September 11, 2023.

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Services
September 26, 2023**

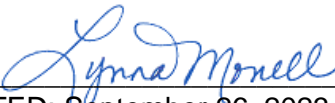
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Jesse Armendarez

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: September 26, 2023



cc: DAAS - West w/agrees
Contractor - c/o DAAS w/agree
File - w/agree
CCM 10/5/2023