



San Bernardino County

Legislation Text

File #: 5481, Agenda Item #: 19

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

February 8, 2022

FROM

ENSEN MASON, Auditor-Controller/Treasurer/Tax Collector

SUBJECT

Public Sale of Tax-Defaulted Property - Tax Sale #372

RECOMMENDATION(S)

1. Authorize the Auditor-Controller/Treasurer/Tax Collector to sell at a public auction the tax-defaulted properties listed on the attached schedule.
 2. Authorize the Auditor-Controller/Treasurer/Tax Collector to sell at a reduced minimum bid those properties, which have been previously offered for tax sale at least once and did not receive a minimum bid.
- (Presenter: Douglas R. Boyd, Assistant Auditor-Controller/Treasurer/Tax Collector, 382-7004)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

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

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The estimated public auction cost of \$150,000 has been included in the Auditor-Controller/Treasurer/Tax Collector's (ATC) 2021-22 budget and will be fully reimbursed through tax sale fees.

BACKGROUND INFORMATION

Subject to Board of Supervisors (Board) approval, pursuant to California Revenue and Taxation (R&T) Code §3691, the Tax Collector has the power to sell properties that have been tax-defaulted for five or more years, and the ability to sell previously offered tax-defaulted properties at a reduced minimum bid, in an effort to return these properties to property tax paying status. Property tax dollars are used to fund key public services including education, police and fire protection, and social and public health services.

Each year, the Tax Collector holds a public auction of tax-defaulted properties; the next sale is scheduled to begin May 14, 2022 (Tax Sale #372). Tax Sale #372 will include both newly eligible properties (i.e., those just reaching five years defaulted) and previously offered properties, which will now be offered at revised minimum bids. As authorized per R&T Code §3698 and §3698.5, the minimum bid shall be an amount equal to, but not less than, the amount required to redeem the property, plus costs associated with the sale, including advertising and recording costs.

ATC has expanded the scope of actions taken by the Tax Collector to locate delinquent taxpayers and assist

them in keeping their property and returning it to taxpaying status. These efforts include, but are not limited to, all steps required by law. The Tax Collector further makes every effort to personally communicate with property owners regarding property taxes annually, at delinquency, at default, and prior to tax sale. Communications include, but are not limited to, mailing the Annual Billing Statement to the address of record, publication in a qualified newspaper of Current Property Taxes Due, mailing delinquent statements to the address of record, mailing Statement of Defaulted Taxes to the address of record, mailing Notice of Impending Power to Sell by certified mail to the address of record, publication in a qualified newspaper of Notice of Impending Power to Sell, mailing by certified mail Notice of Power to Sell to Parties of Interest, publication in a qualified newspaper of Notice of Sale, and making personal contact for improved parcels. In the event a delinquent property is not redeemed prior to a tax sale and successfully sells at a tax sale, the Tax Collector then mails a Notice of Excess Proceeds to the address of record to afford the delinquent taxpayer the opportunity to file a claim for sale proceeds in excess of the tax obligation.

Where property or property interest have been offered for sale at least once and no acceptable bids have been received, the Tax Collector may, in his or her discretion and with the approval of the Board, offer that property or those interests at the next scheduled sale at a minimum bid that the Tax Collector deems appropriate. The official list of properties that have been declared in default and subject to the power of sale under Tax Sale #372 is attached.

In accordance with R&T Code §3692, subdivision (e), any parcel remaining unsold may be reoffered within a 90-day period and any new parties of interest shall be notified in accordance with R&T Code §3701.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Kristina M. Robb, Principal Assistant County Counsel, 387-5455) on January 5, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5405) on January 21, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on January 24, 2022.