Resolution of the Board of Supervisors of the County of Fresno Deciding 42 Claims and Ordering the Disposition of Excess Proceeds for 16 Multiple-Claim Properties from the County's 2019 Sale of Tax-Defaulted Property

WHEREAS, on March 8 through 11, 2019, under Revenue and Taxation Code, Division 1, Part 6, Chapter 7 (beginning with section 3691), the County sold 48 properties to satisfy the taxes, assessments, penalties, and costs then delinquent on those properties ("2019 Tax Sale"); and

WHEREAS, on April 24, 2019, the County Auditor-Controller/Treasurer-Tax Collector ("Tax Collector") recorded deeds to all purchasers of property at the 2019 Tax Sale; and

WHEREAS, the 2019 Tax Sale produced excess proceeds as follows: 4 parcels had no excess proceeds, and 44 parcels produced the total amount of \$3,457,270.51 in excess proceeds; and

WHEREAS, under Revenue and Taxation Code section 4675, each party of interest may file with the County a claim for excess proceeds from the 2019 Tax Sale within one year after the recordation of the Tax Collector's deed to the purchaser; and

WHEREAS, within one year after the recordation of the Tax Collector's deeds to purchasers of property at the 2019 Tax Sale, the Tax Collector received 59 claims for excess proceeds from the 2019 Tax Sale, as follows: for 16 parcels, there were multiple claims (a total of 42 claims); for 17 parcels, there was only one claim (a total of 17 claims); and for 11 parcels, there were no claims; and

WHEREAS, in order to expedite the distribution of excess proceeds from the 2019 Tax Sale, on November 3, 2020, the Tax Collector presented to the Board of Supervisors ("Board") for decision the 11 parcels for which there were no claims and the 17 parcels for which there was only one claim for excess proceeds; and

WHEREAS, on November 3, 2020, the Board approved Resolution No. 20-347 deciding claims and ordering the disposition of excess proceeds from the 2019 Tax Sale for 17 single-claim parcels and 11 no-claim parcels; and

WHEREAS, Resolution No. 20-347 stated that there were 41 claims for excess proceeds from parcels with multiple claims, but upon further review the Tax Collector determined that two different

claims from the same claimant had been counted as one claim, and in fact there were 42 such claims; and

WHEREAS, the Tax Collector has presented to the Board for decision the remaining 42 claims received after the 2019 Tax Sale, from the 16 parcels with multiple claims; and

WHEREAS, each of the claims identified in exhibit A to this resolution, titled "Claims Granted," contains sufficient information and proof to establish, to the satisfaction of the Board, as recommended by the Tax Collector, the claimant's right to excess proceeds from the 2019 Tax Sale, in the amounts identified in exhibit A to this resolution, for the total amount of \$2,074,604.03; and

WHEREAS, the claim identified in exhibit B to this resolution, titled "Claims Denied Due to Insufficient Evidence," does not contain sufficient information and proof to establish, to the satisfaction of the Board, the claimant's right to any of the excess proceeds from the 2019 Tax Sale; and

WHEREAS, there are insufficient excess proceeds to grant the claims identified in exhibit C to this resolution, titled "Claims Denied Due to Insufficient Excess Proceeds Available"; and

WHEREAS, the claims identified in exhibit D to this resolution, titled "Claims Denied Due to Being Satisfied by Other Means," were satisfied by other means; and

WHEREAS, after granting and denying claims as described above, \$133,968.19 in excess proceeds will remain for distribution to the County as provided in Revenue and Taxation Code section 4674; and

WHEREAS, a description of the supporting documentation submitted with each claim for excess proceeds, and a statement of the reason for the determination on each claim, is on file with the Clerk of the Board, and the Board now acts in reliance upon that information; and

WHEREAS, on June 9, 2021, the Tax Collector mailed letters to all claimants for the 16 items from the 2019 Tax Sale to which this resolution relates, and for which claims were received, at the addresses provided in their respective claims, to give notice of the date, time, and place of the meeting of the Board at which their claims were to be determined, and including information about how to obtain more information about the Tax Collector's recommendation to the Board regarding which claims should be granted and which claims should be denied; and

WHEREAS, all claimants wishing to address the Board on this matter received an opportunity to do so during the meeting at which the Board adopted this resolution;

NOW, THEREFORE, THE BOARD FINDS, RESOLVES, AND ORDERS as follows:

- 1. All of the recitals above are true and correct.
- 2. The 25 claims for excess proceeds from the 2019 Tax Sale that are identified in exhibit A are granted. For each claim identified in exhibit A, the Tax Collector shall, after waiting the 90-day period described in subdivision (g) of Revenue and Taxation Code section 4675, issue payment to the claimant as listed in exhibit A in the amount stated in exhibit A.
- 3. The 17 claims for excess proceeds from the 2019 Tax Sale that are identified in exhibits B, C and D are denied.
- 4. The balance of excess proceeds not distributed from the 16 parcels from the 2019 Tax Sale for which there were multiple claims for excess proceeds, in the total amount of \$133,968.19, shall be distributed to the County, as provided in Revenue and Taxation Code section 4674.

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Steve Brandau, Chairman of the Board

of Supervisors of the County of Fresno

Exhibit AClaims Granted

1	Item Number: 37	Item Number: 131
2	APN: 453-143-21	APN : 128-461-64
2	Claimant: Global Discoveries on behalf of	Claimant: Global Discoveries on behalf of
3	Irene Hernandez	Stephanie Coston as Attorney in Fact for
	Address: 1120 13 th St Suite A, Modesto CA	Dawn M Moore
4	95354	Address: 120 13 th St Suite A, Modesto CA
5	Granted: \$26,026.07	95354
٦		Granted: \$31,594.73
6	Item Number: 37	
_	APN: 453-143-21	Item Number: 131
7	Claimant: Global Discoveries on behalf of	APN : 128-461-64
8	Joann Hernandez Cedillo	Claimant: Global Discoveries on behalf of
	Address: 1120 13 th St Suite A, Modesto CA	Stephanie Coston as Attorney in Fact for
9	95354	Dawn Moore
10	Granted: \$13,013.04	Address: 1120 13 th St Suite A, Modesto CA
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11	Item Number: 37	Granted: \$2,771.64
	APN: 453-143-21	K - N - 1 - 404
12	Claimant: Global Discoveries on behalf of	Item Number: 131
13	Francisco Hernandez	APN: 128-461-64
	Address: 1120 13 th St Suite A, Modesto CA 95354	Claimant: State of California – Franchise
14		Tax Board Address: PO Box 2952, Sacramento CA
15	Granted: \$13,013.03	95812
	Item Number: 72	Granted: \$15,797.37
16	APN: 195-050-41	Granted: \$10,737.07
	Claimant: Geri Ellen Guerrero	Item Number: 131
17	Address: 1540 Castle St, Atwater CA 95301	APN: 128-461-64
18	Granted: \$20,857.59	Claimant: State of California – Franchise
	(Tax Board
19	Item Number: 124	Address: PO Box 2952, Sacramento CA
20	APN: 460-174-21	95812
	Claimant: Winn Law Group on behalf of	Granted: \$13,025.73
21	Fireside Bank	. ,
,	Address: 110 E Wilshire Ave Suite 212,	Item Number: 145
22	Fullerton CA 92832	APN: 460-261-05
23	Granted: \$18,061.54	Claimant: Pascuzzi & Stoker
		Address: 2377 N Shaw Ave #101, Fresno
24		CA 93711
25		Granted: \$33,981.14
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Exhibit A

Claims Granted

1	Item Number: 145	Item Number: 211
2	APN: 460-261-05	APN: 015-301-23
3	Claimant: Global Discoveries on behalf of Patricia Ratliff	Claimant: Global Discoveries on behalf of Virginia Barnett
3	Address: 1120 13 th St Suite A, Modesto CA	Address: 1120 13th St Suite A, Modesto CA
4	95354	95354
5	Granted: \$31,130.39	Granted: \$499,579.37
6	Item Number: 161	Item Number: 212
7	APN: 479-293-08 Claimant: Global Discoveries on behalf of	APN: 015-302-13 Claimant: Global Discoveries on behalf of
	Betty Jean Johnson and Irene Lee	Virginia Barnett
8	Address: 1120 13 th St Suite A, Modesto CA	Address: 1120 13th St Suite A, Modesto CA
9	95354	95354
10	Granted: \$13,761.87	Granted: \$511,571.47
	Item Number: 161	Item Number: 214
11	APN: 479-293-08	APN : 015-302-51S
12	Claimant: City of Freeno	Claimant: Global Discoveries on behalf of
13	Address: 2600 Fresno St Room 2156, Fresno CA 93721	Virginia Barnett Address: 1120 13 th St Suite A, Modesto CA
	Granted: \$8,308.00	95354
14		Granted: \$408,575.08
15	Item Number: 175	16 No 007
16	APN: 463-171-11 Claimant: County of Fresno - RCU	Item Number: 227 APN: 120-153-14
17	Address: PO Box 226, Fresno CA 93708	Claimant: Laurie Jamison, Trustee of the
17	Granted: \$214.79	Bill Baird Living Trust
18	 	Address: 1608 Sunrise Ave Suite E,
19	Item Number: 197 APN: 460-314-09	Modesto CA 95350 Granted: \$252,041.46
20	Claimant: State of California – Department	Granted: \$\psi_232,041.40
20	of Health Care Services	Item Number: 232
21	Address: PO Box 997425, Sacramento CA	APN : 140-251-17
22	95899 Grantod: \$6.768.50	Claimant: George Contreras
	Granted: \$6,768.50	Address: 57 E Sussex Wy, Fresno CA 93704
23	Item Number: 211	Granted: \$6,796.04
24	APN: 015-301-23	
25	Claimant: State of California – Franchise Tax Board	
26	Address: PO Box 2952, Sacramento CA 95812	
27	Granted: \$4,204.51	

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Exhibit A

Claims Granted

1	Item Number: 235 APN: 160-230-12
2	Claimant: Bruce Leichty on behalf of
3	Stephen Montel Address: 264 Clovis Ave, Clovis CA 93612
4	Granted: \$38,617.57
5	Item Number: 254
6	APN: 329-100-03 Claimant: Unclaimed Financial LLC
7	Address: 1030 Neilson St Suite 2A, Far
8	Rockaway NY 11691 Granted: \$3,914.65
9	Item Number: 254
10	APN: 329-100-03
11	Claimant: Pamela R Lasswell, Trustee Address: 19210 Panoramic Dr, Madera CA
12	93638 Granted: \$27,402.54
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14	Item Number: 300 APN: 458-161-27
15	Claimant: Budget Funding I, LLC
16	Address: 1849 Sawtelle Blvd Ste 700, Los Angeles CA 90025
17	Granted: \$73,575.91
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Exhibit B

Claims Denied Due to Insufficient Evidence

1	Item Number: 37
2	APN: 453-143-21 Claimant: State of California - EDD
3	Item Number: 72
4	APN : 195-050-41
5	Claimant: State of California – Franchise Tax Board
6	Item Number: 124
7	APN : 460-174-21
8	Claimant: City of Fresno – Utilities Billing & Collections
9	Item Number: 227
10	APN: 120-153-14
11	Claimant: Trackers USA on behalf of John William McDonald
12	Item Number: 232
13	APN : 140-251-17
14	Claimant: State of California – Franchise Tax Board
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Exhibit C

Claims Denied Due to Insufficient Excess Proceeds Available

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1	Item Number: 131 APN: 128-461-64
2	Claimant: Advantage Asset Recovery on
3	behalf Twanish Lavell as Attorney in Fact for Bertram J Lavell Jr
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5	Item Number: 175 APN: 463-171-11
6	Claimant: Christina Maria Fricke-Trevino
7	Item Number: 197
8	APN: 460-314-09 Claimant: Capital Collections
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10	Item Number: 197 APN: 460-314-09
11	Claimant: Global Discoveries on behalf
12	of Michael Villa Gonzales
13	Item Number: 235 APN: 160-230-12
14	Claimant: KGM Group on behalf of Kyle
15	Daovone Khamchanthavisouk
	Item Number: 300 APN: 458-161-27
16	Claimant: Mid Valley Collections Bureau
17	on behalf of Professional Collection Cons
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19	Item Number: 300 APN: 458-161-27
20	Claimant: California Business Bureau
21	Item Number: 300
22	APN: 458-161-27 Claimant: Capital Collections
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24	Item Number: 300 APN: 458-161-27
25	Claimant: State of California – Franchise
26	Tax Board
27	Item Number: 300 APN: 458-161-27
28	Claimant: Asset Recovery Inc on behalf of Domingo Torres
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Exhibit DClaims Denied Due to Being Satisfied by Other Means

1	Item Number: 212
2	APN: 015-302-13 Claimant: State of California – Franchise
3	Tax Board
4	Item Number: 214
5	APN: 015-302-51S Claimant: State of California – Franchise
6	Tax Board
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