



County of Orange
Office of the Treasurer-Tax Collector
Shari L. Freidenrich, CPA, CCMT, CPFA, ACPFIM
P.O. Box 1438
Santa Ana, CA 92702-1438

AUTHORIZATION FOR AGENT TO COLLECT EXCESS PROCEEDS

As a Party of Interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby appoint _____ as my agent to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of Assessor's Parcel No. _____ at the tax auction sale on the auction date listed below. I understand that I AM NOT ASSIGNING (SELLING OR TRANSFERRING) MY RIGHT TO THE REFUND and am merely naming an agent for collection purposes for my convenience. I also understand that the total amount of excess proceeds available for distribution is \$ _____, and that I have a right to file a claim directly with the county at NO COST for this refund on my own behalf, without the help of an agent. For valuable consideration received, my agent is appointed to act on my behalf.

Auction Number: _____ **Auction Date:** _____

Party of Interest (POI) Name: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

E-Mail: _____ **SS#/TIN:** _____

Driver License No. & State: _____ **Phone:** _____

Signature of POI: _____ **Date:** _____
(Requires Notarization)

If acting on behalf of a business entity, I am duly authorized to act in its behalf pursuant to my title as indicated below:

Title: _____ **Partnership or Corp. Tax ID No.:** _____

Business Entity / Partnership Name: _____

CERTIFICATION OF CLAIMANT

The undersigned and any heirs, executors, successors, assignees of the undersigned, agree to indemnify and hold the County of Orange, its elected and appointed officials, officers and employees harmless from and against all claims, demands, suits, liability, loss, damage, expenses, counsel fees and costs of any nature arising from or related to the payment of any unclaimed funds by the County pursuant to this claim.

I certify under penalty of perjury that all the information contained in this claim form is true and correct, and of my own personal knowledge. I further certify I prepared this form and am entitled to the unclaimed funds set forth in this claim.

Signature of Agent: _____ **Date:** _____

Signature of POI: _____ **Date:** _____
(If claim is greater than \$50, form must be notarized by both the POI and the Agent)

Please choose one: POI signature by person with title of record POI signature by lienholder of record

NOTARY ACKNOWLEDGEMENT OF POI

State of California } ss.
County of _____ }

On _____, before me, _____, Notary Public, personally appeared, _____, who provided to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures on this instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. _____

Signature of Notary: _____ (Seal)

A Notary public or other officer completing this certificate verifies only the identity of the individual(s) who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

AGENT DISCLOSURE

I, the undersigned, certify under penalty of perjury that I have disclosed to the Party of Interest, pursuant to Section 4675 of the California Revenue and Taxation Code, the full amount of excess proceeds available and ADVISED HIM/HER/THEM OF THE RIGHT TO FILE A CLAIM DIRECTLY WITH THE COUNTY AT NO COST ON HIS/HER/THEIR OWN BEHALF WITHOUT THE HELP OF AN AGENT.

Name of Agent: _____

Mailing Address: _____
Street Address (A Non-U.S. Postal System Box is Not Acceptable)

City _____ State _____ Zip Code _____

Signature of Agent: _____ Date: _____
(Requires Notarization)

NOTARY ACKNOWLEDGEMENT OF AGENT

State of California } ss.
County of _____ }

On _____, before me, _____, Notary Public, personally appeared, _____, who provided to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures on this instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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PLEASE SEE INSTRUCTIONS ON PAGE 3

INSTRUCTIONS FOR FILING CLAIM

DEFINITION OF PARTY OF INTEREST AND RIGHT TO FILE CLAIM AT NO COST

The [California Revenue and Taxation Code, Section 4675](#), states in part:

For the purposes of this article, Parties of Interest and their order of priority and right to claim are:

- (a) First, lienholders of record prior to the recordation of the tax deed to the purchaser in the order of their priority. (Must provide an official claim form postmarked prior to the expiration of one year following deed recording); and
- (b) Then, any person with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser. (Must also meet same form submission and postmark requirements as above).

REQUIRED INFORMATION & SUPPORTING DOCUMENTATION

If you consider yourself to be a Party of Interest in the sale of tax defaulted property as defined above, please complete the County of Orange, Treasurer-Tax Collector **Claim for Excess Proceeds Form for Parties of Interest**. You must also submit the following documents to support your claim as a Party of Interest:

- (a) In case (a) lienholders must submit the original recorded document or, if unattainable, a certified copy of the recorded document and original documentation such as title policy or any other original documentation which supports the claimant's right to all or portion of the excess proceeds. A payment schedule, note secured by deed of trust, partial release or partial reconveyance will also be required as well as a declaration under penalty of perjury stating how much was paid off and how much was still due and payable as of THE DATE OF SALE of the property by the Treasurer-Tax Collector. The declaration must include the calculations indicating how the total amount of the claim was determined.
- (b) In case (b), owners of record must submit the original recorded deed or other document by which they acquired an interest in the property. If the original document is unattainable, a certified copy of the recorded document and original documentation such as title policy or any other original documentation which supports the claimant's right to all or portion of excess proceeds.
- (c) Parties of Interest must submit a clear copy of valid photo identification (i.e., driver's license, state ID, passport). Expired photo identification will not be accepted.

AUTHORIZATION FOR AGENT TO COLLECT EXCESS PROCEEDS

An Agent is authorized to act on behalf of the Party of Interest but **does not receive an assignment of the right to claim**. The Party of Interest remains the legal claimant and may choose whether to compensate the agent. If you are appointed as an Agent by a Party of Interest (e.g. an attorney, family member, or other representative) and the Party of Interest is not assigning their right to claim excess proceeds to you, please complete the form titled **Authorization for Agent to Collect Excess Proceeds**. Also see REQUIRED INFORMATION AND SUPPORTING DOCUMENTATION above.

ASSIGNMENT OF RIGHT TO CLAIM EXCESS PROCEEDS

If a Party of Interest (POI) assigns (sells or transfers) their right to claim excess proceeds, the Assignee must complete the form titled **Assignment of Right to Collect Excess Proceeds**. Any attempted assignment that does not comply with all requirements will be considered invalid. When a claim involving an assignment of rights is approved, the refund warrant is issued in the names of both the Party of Interest (Assignor) and the Assignee.

Any person or entity who is **assigned the right to claim excess proceeds** from a Party of Interest **must submit a dated, written, and notarized instrument that:**

- (a) Explicitly states that the right to claim excess proceeds is being assigned
- (b) Is signed only after each party to the assignment has disclosed to the other all known facts relating to the value of the right being assigned including the source and amount of the excess proceeds
- (c) Includes proof that the Party of Interest has been advised of their right to file a claim directly with the County at **NO COST**

ALL REQUIRED FORMS AND DOCUMENTATION MUST BE SUBMITTED, OR THE CLAIM WILL BE REJECTED.

CLAIMS FILED BY BUSINESS ENTITIES

Claims filed on behalf of a company must be signed by either corporate official(s) (President, Vice President, Secretary, or Treasurer), a partner, or the sole owner. The party or parties must provide documentation proving his/her/their authority to sign for the company. In addition, certified documentation must be provided indicating the type of business entity, (articles of incorporation, by-laws, statement by domestic stock corporation, partnership agreements, fictitious business name filing, etc.). Also see REQUIRED INFORMATION AND SUPPORTING DOCUMENTATION above.

DEADLINE FOR FILING

We cannot by law begin processing of claims until one year has passed from the date of the deed to the purchaser. To receive consideration, claims must be filed **ON OR BEFORE THE EXPIRATION OF ONE YEAR** following the date of the recording of the deed to the purchaser. Please note the final date to submit claim on the reverse. After our office has reviewed your claim, you will be notified as to the disposition of the excess proceeds. Assignee claims will be reviewed after the one-year date and if any substantive required documentation is missing, they will be rejected. Party of Interest have a lower threshold for completion, and we encourage a POI to reach out for immediate assistance on completing the form.

MAIL COMPLETED FORMS

County of Orange, Attn Treasurer-Tax Collector, P.O. Box 1438, Santa Ana, CA 92702-1438

MAIL YOUR SIGNED CLAIM FORM AND OTHER REQUIRED DOCUMENTATION BY CERTIFIED MAIL TO ENSURE RECEIPT.