



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

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS (SALE OR TRANSFER OF CLAIM)

Claimant (Assignee) Name/Company: _____

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

Party of Interest (POI) Name: _____

Address: _____

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

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

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

I claim excess proceeds under Revenue and Taxation Code Section §4675 as an Assignee and certify that the Assignor is the last assessee or a lienholder of record. **Documentation that supports my claim is enclosed.** I hereby certify that I have been assigned the right to file a claim, on behalf of or in place of, the Party of Interest and have provided the additional required paperwork notarized by the Party of Interest on the front and back of this claim form. I understand this claim form must be postmarked by the USPS within one year of the deed recording date, that claims submitted more than one year after this date will not be accepted per state law, that claims are not reviewed prior to the end of the one-year period and that all incomplete claims will be rejected.

Parcel No.: _____ **Assessee Name:** _____

Property Address: _____

Deed Recording Date: _____ **Amount of Claim:** \$ _____

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 Assignee: _____ **Date:** _____

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

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

Public Records Act Request for Holders of Unclaimed Funds: Please be advised that the Office of the Treasurer-Tax Collector may, from time to time, receive requests from members of the public for a list of individuals who are eligible to receive unclaimed funds from the County. This list may contain names and contact information. These lists are public records within the meaning of the Public Records Act and thus must be disclosed. The Office of the Treasurer-Tax Collector is not required to notify the individuals listed that it is releasing this information.

REQUIREMENTS FOR ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

Under [Revenue and Taxation Code Section 4675](#) a Party of Interest in a property sold at tax sale may either: (1) file a claim for excess proceeds directly with the County at no cost, or (2) assign the right to claim excess proceeds to another party, who may charge a fee. **ASSIGNMENT IS PERMITTED ONLY IF ALL THE REQUIREMENTS ARE MET. INCOMPLETE FORMS WILL BE REJECTED.**

1. ASSIGNMENT DOCUMENTATION:

Attach a separate dated, written notarized instrument that explicitly states that the right to claim excess proceeds is being assigned. This instrument confirms that all parties to the assignment have disclosed to one another all known facts affecting the value of the right being transferred. In addition, the instrument must include:

- a. A section that clearly discloses the amount and source of the excess proceeds
- b. The estimated value of the right being assigned
- c. A statement confirming that the Party of Interest has been informed of their right to file a claim for the excess proceeds directly with the county at **NO COST (this proof is required by law)**.

2. CHECK ISSUANCE AND CLAIM REQUIREMENTS:

The Office of the Treasurer-Tax Collector will issue a single refund warrant (government-issued check) for the full claim amount, payable to both the Party of Interest and the assignee. It is the Party of Interest's responsibility to provide the following information:

- a. Source, amount, and value of excess proceeds
- b. Name of the Assignee that will appear on the refund warrant along with the name of the Party of Interest
- c. Mailing address for the refund warrant

3. PARTY OF INTEREST ACKNOWLEDGEMENT AND ASSIGNMENT

I, _____, the undersigned Party of Interest, have been advised of the amount and source of excess proceeds and of my right to claim excess proceeds on my own behalf directly with the County **at no cost**. I have attached the required signed third-party written notarized instrument required by the County pursuant to Revenue and Taxation Code Section 4675, and understand that the amount of any claim will not change based on whether I or someone else claims on my behalf. My notarized signature below is to hereby instruct the Office of the Treasurer-Tax Collector to issue the refund warrant in both the name of the Party of Interest and the Assignee for the full claim amount and mail to the below address.

Source of Excess Proceeds: _____ Total Amount: _____

Value of Right: _____ Party of Interest Name: _____

Assignee Name: _____

Assignee Address (to mail check): _____

Street Address (A non-U.S. Postal System Box Number is Not Acceptable)

City _____ State _____ Zip Code _____

Party of Interest Signature: _____ Date: _____

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.

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)

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 AND 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.

Any person or entity who is acting on behalf of a Party of Interest (POI) — including assignees, agents, or businesses — **must submit a dated, written, and notarized instrument that contains the following:**

- (a) If the right to claim is being assigned, it clearly states that the PIO is assigning that right to the Assignee
- (b) Confirms that all parties have disclosed to each other all known facts relating to the value of the right being assigned (if assignment is applicable), including the source and amount of the excess proceeds
- (c) Includes proof that the POI has been advised of their right to file a claim directly with the County at **NO COST**

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 to act as an Agent by a Party of Interest (e.g. an attorney, family member, or other representative), 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 to an Assignee, 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. Also see REQUIRED INFORMATION AND SUPPORTING DOCUMENTATION above. **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.

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.

NOTARY ACKNOWLEDGEMENT OF ASSIGNEE

State of California }ss.

ss.

County of _____ }

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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)