



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

CLAIM FOR EXCESS PROCEEDS FOR PARTIES OF INTEREST (NO COST TO FILE CLAIM)

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 a person with title of record to all or any portion of the property prior to the recordation of the tax deed or a lienholder of record prior to the recordation of the tax deed. **Documentation that supports my claim is enclosed** (see next page). I understand this claim form must be postmarked by the USPS within one year of the deed recording date and that claims submitted more than one year after the deed recording date will not be accepted per state law. I hereby certify that I am a Party of Interest (POI) in the following parcel. I understand that this claim form is only to be completed if I am filing this claim on my own behalf. Contact us by email at TaxAuction@octreasurer.gov or by calling (714) 834-6702 if you have questions or need help with this form.

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

Property Address: _____

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

CERTIFICATION OF CLAIMANT

The undersigned and any heirs, executors, successors or assigns 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 excess proceeds by the County pursuant to this claim.

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

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

Signature of POI: _____ **Date:** _____

(If claim is greater than \$50, form must be notarized by the POI)

Public Records Act Request for Holders of Excess Proceeds

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 excess proceeds 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.

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:**

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.

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.

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.

Please contact our office by email at TaxAuction@octreasurer.gov or call (714) 834-6702 if you need assistance filling out this form. Original documentation will be returned upon request.

ASSIGNMENT OF RIGHT TO CLAIM / APPOINTMENT OF AGENT

If a party of interest (POI) assigns (sells or transfers) his or her right to claim the excess proceeds, an **Assignment of Right to Claim Excess Proceeds** form must be completed in addition to the **Claim for Excess Proceeds for Parties of Interest**. Any attempted assignment that does not comply with these requirements shall have no effect. If you are an Agent for a Party of Interest, the Party of Interest has merely appointed you to act on their behalf and remains the legal claimant, please complete the form titled **Authorization for Agent to Collect Excess Proceeds** in addition to the **Claim for Excess Proceeds for Parties of Interest**. Any person or entity who in any way acts on behalf of or in place of a Party of Interest in respect to filing a claim for any excess proceeds provided for in this section will be required to submit additional notarized documents as part of the claim. These documents required are outlined in the Assignment of Right to Claim Excess Proceeds form and the Authorization for Agent to Collect Excess Proceeds form. When a claim involving an assignment of right has been approved, the refund warrant will be issued in both the assignor's (Party of Interest) and the Assignee's names.

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, or 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. In order 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 see the "Final Date to Submit Claim" on the attached cover letter. After our office has reviewed your claim, you will be notified as to the disposition of the excess proceeds. Claims by Assignees will be reviewed after the one-year date and if any substantive required documentation is missing, they will be rejected. Party of Interest claimants have a lower threshold for completion, and we encourage a POI to reach out for assistance immediately on completing the form.

MAIL COMPLETED FORMS TO:

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

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