



Mendocino County

Legislation Details (With Text)

File #: 16-859 **Version:** 1 **Name:**
Type: Approval **Status:** Approved
File created: 7/29/2016 **In control:** Treasurer-Tax Collector
On agenda: 8/16/2016 **Final action:** 8/16/2016
Title: Approval to Discharge from Accountability the Attached List of Cases Comprised of Delinquent Fines, Penalties, Fees, and Assessments Determined to be Non-Collectible Due to Age of Debt, Debtor Inability to Pay, or Lack of Information Available to Locate Debtor and Where the Cost of Recovery Exceeds That of Collection

Sponsors:

Indexes:

Code sections:

Attachments: 1. Discharge Request 2016.pdf

Date	Ver.	Action By	Action	Result
8/16/2016	1	Board of Supervisors		

To: Board of Supervisors

From: Treasurer-Tax Collector

Meeting Date: August 16, 2016

Department Contact: Julie Forrester

Phone: 707-234-6875

Department Contact: Shari L. Schapmire

Phone: 707-234-6875

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Approval to Discharge from Accountability the Attached List of Cases Comprised of Delinquent Fines, Penalties, Fees, and Assessments Determined to be Non-Collectible Due to Age of Debt, Debtor Inability to Pay, or Lack of Information Available to Locate Debtor and Where the Cost of Recovery Exceeds That of Collection

Recommended Action/Motion:

Approve the discharge of accountability, for the attached list of cases comprised of delinquent fines, fees, penalties, and assessments determined to be non-collectible due to age of debt, debtor inability to pay, or lack of identifying information and where the cost of recovery exceeds that of collection.

Previous Board/Board Committee Actions:

The Board approved a request for discharge of outstanding receivables on December 8, 2015.

Summary of Request:

Government Code section 25257 authorizes any employee charged with the collection of fines or fees to apply to the Board of Supervisors for a discharge from accountability any debt that the cost of recovery exceeds that

of collection. Attached is a list of cases with debt over 10 years in age or determined to be non-collectible. Debt is determined to be non-collectible if the debtor is deceased, lives out of country, has a higher tax liability, is incarcerated in California Department of Corrections and Rehabilitation, or if the debtor identifying information is missing that is needed in order to effect collection action. These cases have had the following collection action: local collection efforts, referred to Franchise Tax Board for wage garnishments, bank levies, or an intercept of a California tax refund and/or referred to a private collection agency and those agencies have also been unsuccessful in the collection of this outstanding debt. Every collection resource available for recovery has been exhausted. Any further billing or collection action does not warrant the expense involved. The requesting department verifies the information contained in the attached reports is true and correct based on information and belief. Government Code section 25259 authorizes the Board of Supervisors to make an order discharging the department from accountability and write off the debt. The total amount requested for discharge is \$1,876,777.98.

Alternative Action/Motion:

Do not approve the discharge of debt and direct staff to continue to pursue this delinquent debt.

Supplemental Information Available Online at:

Fiscal Impact:

Source of Funding: N/A

Current F/Y Cost: N/A

Budgeted in Current F/Y: N/A

Annual Recurring Cost: N/A

Supervisory District: All

Vote Requirement: Majority

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Janelle Rau, Deputy CEO

CEO Review: Yes

Comments: