



Mendocino County

Legislation Text

File #: 22-0847, Version: 1

To: Board of Supervisors

From: Social Services

Meeting Date: June 21, 2022

Department Contact: Bekkie Emery

Phone: 707-463-7761

Department Contact: Stephen White

Phone: 707-467-5868

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Approval to Establish a Revolving Fund for Mendocino County's Public Guardian

Recommended Action/Motion:

Approve establishment of a revolving fund for Mendocino County's Public Guardian.

Previous Board/Board Committee Actions:

None

Summary of Request:

The duty of the Public Administrator is to administer estates of deceased residents of Mendocino County who die without wills (intestate) or who lack relatives who will administer the estate (Probate Code Section 7601, et al). The Public Administrator's Office receives an average of 6 new cases per month. The majority of these cases do not have ready cash available to pay the necessary fees and costs involved in the probate of an estate, such as filing fees, publication costs, birth and/or death certificates.

Personal and/or real property needs to be liquidated during the probate process; however, to liquidate the property there are often costs involved before the property can be sold. Real properties can be in a state of disrepair or require excessive cleanup, such as removal of toxic substances or bio-hazards, for the house to be presentable for sale. There may be a need of pest or termite abatement requiring the procurement of professional contractors that are licensed. Vehicles must include a smog certificate when they are sold. When the properties are sold without remediation or 'as is' their value is reduced. When this occurs, the fees for the Public Administrator are reduced or often have a zero return rate. The establishment of a revolving fund as described in Government Code Sections 29460, et al, would allow the advancement of funds to repair and clean-up these illiquid but solvent estates, as well as pay for other necessities. The monetary return of an improved property would allow for replenishment of the revolving fund, as required in Government Code Section 29463, from proceeds of sale and improved opportunities to collect the full fees entitled to the Public Administrator's Office for management of the decedent's estate.

Alternative Action/Motion:

Return to staff for alternative handling.

Does This Item Support the General Plan? Choose an item.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At:

[<http://codes.findlaw.com/ca/government-code/gov-sect-29460.html>](http://codes.findlaw.com/ca/government-code/gov-sect-29460.html)

[<http://codes.findlaw.com/ca/probate-code/prob-sect-7601.html>](http://codes.findlaw.com/ca/probate-code/prob-sect-7601.html)

Fiscal Details:

source of funding: General Fund

current f/y cost: \$30,000

annual recurring cost: **revenue agreement:**

Choose an item.

budget clarification:

budgeted in current f/y: No

if no, please describe:

Agreement/Resolution/Ordinance Approved by County Counsel: Choose an item.

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Atlas Pearson, Deputy Clerk II

Final Status:Approved

Date: June 21, 2022

