



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

County Counsel

DATE: March 17, 2006

BOARD MEETING DATE: April 4, 2006

SPECIAL NOTICE/HEARING: None

VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: County Counsel

SUBJECT: Correction of Property Tax Roll, APN 020-013-210
1099 Admiral Court, San Bruno
The Crossing Apartment Association/TMG Partners

RECOMMENDATION:

Approve a correction to the 2004 supplemental property tax roll to correct a clerical error in the property tax assessment of APN 020-013-210, located in San Bruno (the Property”).

VISION ALIGNMENT:

Commitment: responsive, effective, and collaborative government.

Goal 20: Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

The implementation of this recommendation will further commitments and assist in achieving goals set forth in the County’s Shared Vision 2010 report. Specifically, this proposal implements the commitment of providing “responsive, effective, and collaborative government.”

BACKGROUND:

The Property is a portion of the multi-parcel development for retail and apartments in San Bruno. Construction of new improvements was taking place on the Property during 2004, and a 2004 supplemental assessment was made based on the partial completion of those new improvements. However, partially completed construction is

not appropriately assessed on the supplemental roll - assessments for partial construction are made on the annual tax roll, not the supplemental tax roll. Thus the 2004 Supplemental assessment should be canceled because it was erroneously issued. The partial construction was assessed and the value of those improvements was properly applied to, and appears on, the 2005 annual tax roll.

DISCUSSION:

Pursuant to section 4831, *et seq.*, of the Revenue and Taxation Code, which allows for corrections to the tax roll, the Assessor proposes by this action to correct the 2004 tax year supplemental assessment made against the Property. The Request for Approval for Assessor's Change No. 04-442 is attached for reference.

FISCAL IMPACT:

There is no fiscal impact of this action. The tax bill reflecting the erroneous supplemental assessment was not issued – the taxpayer made no payment and no refund is due.

**SUPPLEMENTAL ROLL
ASSESSOR'S CHANGE - Decrease**

TO THE CONTROLLER:

Assessor's Change No. 04-442

REQUEST FOR APPROVAL OF INCREASE IN SUPPLEMENTAL TAXES FOR FISCAL YEAR _____

CORRECTION (1) CANCELLATION (2) REFUND (3)

For approval of tax dollar decreases less than \$10,000

For County Counsel to approve decrease \$10,000-\$50,000

Controller estimate of tax dollar decrease requested.....\$ _____

For County Counsel to present to Board of Supervisors request for tax decrease over \$50,000

Controller estimate of tax dollar decrease requested.....\$ _____

1. This is to certify, pursuant to Section 4831 of the Revenue and Taxation Code that Tax Roll change or changes are requested as follows, reason for change:

CORRECTION TO SUPPLEMENTAL ASSESSMENT

Assessor recommends waiver of penalty for late payment of taxes per R & T Code, Sec. 4958 N Y

FISCAL YEAR, PARCEL NUMBER, OR UNSECURED ACCOUNT NUMBER, SEQUENCE NO. 04 020-013-210-8 01	1 ST OWNER The Crossing Apartment Assoc I LL
SECURED PARCEL NUMBER IF UNSECURED ACCOUNT NUMBER ABOVE:	2 ND OWNER OR DBA C/O TMG Partners
TAX CODE AREA 10-001	MAILING ADDRESS 100 Bush St, 26th Floor San Francisco, CA 94104

CHANGED ASSESSED VALUE

	Assessed Value	Change in Suppl. Amount	Tax Roll Value	New Supplemental Amount
Land	7,232,557	0	7,232,557	0
Improvement	40,000,000	0	16,000,000	24,000,000
Fixtures				
Personal Property				
Exemption #1				
Exemption #2				
Net Taxable Value	47,232,557	0	23,232,557	24,000,000
Land	0	0	0	0
Improvement	0	0	0	0
Fixtures				
Personal Property				
Exemption #1				0
Exemption #2				
Net Taxable Value	0	0	0	0

2. APPROVED BY ASSESSOR'S OFFICE <i>Cezayirli M. Vardachian</i> DATE: 12/1/05	3. APPROVED BY CONTROLLER'S OFFICE <i>[Signature]</i> DATE: 12/2/05
4. APPROVED BY COUNTY COUNSEL <i>[Signature]</i> DATE: 3/6/06	5. APPROVED BY BOARD OF SUPERVISOR <i>[Signature]</i> DATE: _____
6. ACTION: <input type="checkbox"/> Roll Changed <input type="checkbox"/> Tax bill corrected and mailed	

$\$24,000,000 \times 1.0597 \times 50\% = \underline{\underline{\$127,164.00}}$
REFUND REQUIRED: NO

- | | |
|---|---|
| (1) Section 4831 Assessor's errors | (2) Section 4986 Cancellation of uncollected taxes |
| (1) Section 4831.5 Correction of errors caused by the assessee | (3) Section 5096 Refunds permissible |
| | (3) Section 170 Reassessment for calamity / misfortune |