

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Auditor - Controller - Treasurer - Tax Collector	(2) MEETING DATE 7/7/2015	(3) CONTACT/PHONE Kerry Bailey 788-2979	
(4) SUBJECT Request for permission to utilize \$47,563 of escheated unclaimed funds from the estates of two Public Administrator cases to provide services for the estates of decedents without sufficient assets to cover final costs. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1) Authorize the use of \$47,563 of escheated unclaimed funds from the estates of two Public Administrator cases to provide services for the estates of decedents without sufficient assets to cover final costs, 2) Approve a FY 2015-16 budget adjustment request of \$10,000 for unanticipated revenue to cover estimated FY 2015-16 costs, and 3) Direct the Auditor-Controller-Treasurer-Tax Collector to set-aside the remainder of the funds in a trust account for future years' use. 			
(6) FUNDING SOURCE(S) Public Administrator Escheated Unclaimed Funds	(7) CURRENT YEAR FINANCIAL IMPACT \$10,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? No
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: 1415146 <input checked="" type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: James P. Erb, CPA, Auditor - Controller - Treasurer - Tax Collector - Public Administrator

DATE: 7/7/2015

SUBJECT: Request for permission to utilize \$47,563 of escheated unclaimed funds from the estates of two Public Administrator cases to provide services for the estates of decedents without sufficient assets to cover final costs. (All Districts).

RECOMMENDATION

It is recommended that the Board:

- 4) Authorize the use of \$47,563 of escheated unclaimed funds from the estates of two Public Administrator cases to provide services for the estates of decedents without sufficient assets to cover final costs,
- 5) Approve a FY 2015-16 budget adjustment request of \$10,000 for unanticipated revenue to cover estimated FY 2015-16 costs, and
- 6) Direct the Auditor-Controller-Treasurer-Tax Collector to set-aside the remainder of the funds in a trust account for future years' use.

DISCUSSION

California Probate Code Section 7663 instructs Public Administrators to distribute a decedent's money or property remaining after payment of debts to the decedent's beneficiaries.

In cases where the decedent's estate is valued at \$150,000 or less and there are no beneficiaries, Probate Code Section 7663 states the Public Administrator shall, after waiting three years and providing public notice, deposit the balance of the estate with the county treasurer for use in the general fund of the county. This is the first time the Public Administrator has cases which qualify for escheatment to the County.

The Public Administrator has two cases with funds totaling \$47,563 which escheated to the County on June 17, 2015. Our office would like to set aside these monies in a trust account and use them to provide services for the estates of decedents without sufficient assets to cover final costs.

Currently the Public Administrator does not accept cases where decedent assets are less than \$1,500, and over the last three fiscal years we have declined six cases due to insufficient assets. Without Public Administrator involvement the costs of final estate administration are typically borne by community members unrelated to the decedent such as landlords and mortuaries. Access to the escheated funds would allow us to assist with final estate costs and provide services for estates that would not otherwise be served.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel

FINANCIAL CONSIDERATIONS

Upon Board approval \$10,000 will be budgeted in FY 2015-16 for use by the Public Administrator and \$37,563 will be placed in trust for use in the future.

RESULTS

The Public Administrator will be able to provide services for the estates of decedents without sufficient assets to cover final costs contributing to the creation of a safe, livable, and well-governed community.