



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 9, 2016
Subject: Satisfaction of Judgment

RECOMMENDATION(S):

ADOPT Resolution No. 2016/479, WAIVE the payment of interest in the approximate amount of \$30,597.85 and accept \$29,371.31 in full satisfaction of the judgment against Leland Amos for an action brought by the Office of Revenue Collections, and DIRECT County Counsel, or designee, to execute a release of the lien securing the judgment against Mr. Amos, recorded against 1891 Second Ave. in Walnut Creek, as recommended by the Health Services Department and the County Administrator.

FISCAL IMPACT:

The principal amount owed on the judgment entered against Mr. Amos in an action brought by the Office of Revenue and Collections, and secured by the lien recorded against 1891 Second Avenue in Walnut Creek ("Property"), is \$29,371.31. Since the judgment was entered through March 2016, approximately \$30,598 in interest has accrued on the principal. Therefore, the total amount due, as of March 2016, in satisfaction of the judgment is 59,969.16

BACKGROUND:

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/09/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Mary N. Piepho, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Candace Andersen, District II
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 9, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Enid Mendoza, (925)
335-1039

cc:

In 2007, a judgment

BACKGROUND: (CONT'D)

in the amount of \$29,371.31 was entered against Leland Amos in an action brought by the Office of Revenue and Collections. On February 5, 2008, the County recorded a lien against the Property owned by Mr. Amos. The entire amount of the judgment remains unpaid. Under Code of Civil Procedure section 685.010, interest in the amount of 10% per annum has accrued against the principal amount of the judgment.

Mr. Amos and his wife, Kelly Ann Rogers-Amos, and Charlotte Dorothy Rogers, are refinancing the Property in an amount sufficient to pay off the principal amount of the judgment secured by the lien recorded against the Property. Ms. Rogers-Amos has requested that the County waive the interest owed on the judgment and accept \$29,371.31, the principal due, in full satisfaction of the judgment.

The County Administrator and the Health Services Director recommend that the Board of Supervisors waive payment of the interest due on the judgment and accept \$29,371.31 in full satisfaction of the judgment, and direct County Counsel to file an Acknowledgement of Satisfaction of Judgment with the Court upon receipt of funds.

CONSEQUENCE OF NEGATIVE ACTION:

The County may never recover the full amount owed and may miss this opportunity where the current property owners are willing to refinance the Property to pay off this debt.

ATTACHMENTS

Resolution No. 2016/479