

2023 CAASA ROUNDTABLE

September 28 and 29

Registration Cost (per person): \$200
Payable to CAASA
Checks can be mailed to:

San Diego County Assessor

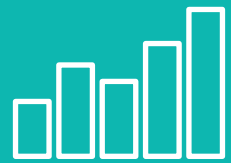
Attn: Robert Gomez, CAASA Vice-President
1600 Pacific Hwy, Suite 103
San Diego, CA 92101



IDEAS



CREATIVITY



DISCUSSION

SAVE THE DATE

California Assessors' Administrative Services Association (CAASA)

Event: 2023 CAASA Roundtable

Dates: September 28 and 29, 2023
(Thursday full day, Friday half day)

Location:

The Cliffs Hotel & Spa
2757 Shell Beach Road
Pismo Beach, CA 93449

HOTEL ACCOMMODATIONS

To reserve, contact the Cliffs Hotel & Spa (805) 773-5000. Only 75 rooms were reserved for this event: @ two night occupancy. Daily rates as follows: Good till 08/28/2023.

- ✓ Classic Room: \$164 a night
- ✓ Coastal Room \$169 a night
- ✓ Signature Room \$189 a night

Need More Information?

Contact: Robert Gomez
Division Chief I, Assessment Services
San Diego County Assessor/Recorder/County Clerk's Office



(619) 531-5554



Robert.Gomez@sdcounty.ca.gov



CALIFORNIA ASSESSORS' ADMINISTRATIVE SERVICES ASSOCIATION

AN AFFILIATION OF THE CALIFORNIA ASSESSORS' ASSOCIATION

2023 CAASA Roundtable Registration Form

Registration Fee is \$200

September 28 and 29

**The Cliffs Hotel & Spa
2757 Shell Beach Road
Pismo Beach, CA 93449
(805) 773-5000**

Make Checks Payable to: CAASA

Mail Check(s) to:

**Robert Gomez, CAASA Vice-President & Treasurer
San Diego County Assessor
1600 Pacific Hwy, Suite 103
San Diego, CA 92101**

Please add phone number & email address below

NAME: _____

JOB TITLE: _____

COUNTY: _____

BOE CERTIFICATION NUMBER: _____



California Assessors' Administrative Services Association

2023 Roundtable

September 28th & 29th, 2023

Hosted by San Luis Obispo County

AGENDA

Thursday, September 28th, 2023

7:00-8:00am

Registration Check-In

Sunrise Hot Breakfast Buffett

1. 8:00-8:30am **Honorable Tom J. Bordonaro, Jr.**
Welcome Message

Sonia Carter-Baltazar-CAASA President

Call to Order

Pledge of Allegiance

Opening Remarks

Announcements

Approve 2023 minutes.

CAASA Officer Election Nominations

Introductions

Other Business

2. 8:30-9:00am

Legislative Update

State Board of Equalization

3. 9:00-9:15am

Tribal Land Assessments

Do you have tribal land in your county? If so, how do you go about assessing them? Are they treated as non-taxable in your County? Do you create a Possessory Interest (PI) Account for lessees who are operating on them?

4. 9:15-9:30am

Disabled Veterans' Exemption

Character of Service Requirement. Some have seen an array of different types of character of service titles like, Bad Conduct Discharge, etc. Is your County accepting everything but Dishonorable? One County reported that they had a vet (who is still enlisted) in the reserves, who doesn't have a discharge (no DD214) but has a 100% rating from the VA and the BOE told that County that they needed to allow it. So for uniformity, we are asking the BOE what is their interpretation of a "Veteran", who qualifies for the exemption? Is it someone who is serving or someone who used to serve or both?

10:00-10:15am

Morning BREAK

5. 9:30-9:50am

Prop 19-Intergenerational Exclusion

How do we apply the P19 to Multi-Use properties? Duplex/Triplex/Fourplex

Rule 462.520(e):

(11) "Principal residence" means a dwelling that is eligible for a homeowners' exemption or a disabled veterans' exemption because of the transferor's or transferee's ownership and occupation of the dwelling. "Principal residence" includes that portion of the land underlying the residence that consists of an area of reasonable size that is used as a site for the residence.

The one unit that was the transferor's principal residence and has become the transferee's principal residence receives the exclusion. All other units are assessed at their fair market value on the date of the transfer.

6. 9:50-10:00am

Welfare Exemption Scenario

Property purchased by Church on 07/31/2020.

Date Pastor moved on property 07/01/2022.

Date Pastor moved off property 01/08/2023.

As you can see, there was no exempt activity as of 01/01/2021 or 01/01/2022. There was exempt activity as of 01/01/2023, but exempt activity ended 8 days later, on 01/08/2023.

Inclination is to start the welfare exemption on 01/01/2023 and end it on 01/08/2023. Or would starting the exemption on 07/01/2022 and ending it 01/08/2023 be most appropriate; even though the pastor was not on the property as of 01/01/2022.

7. 10:15-10:30am

Assessment Analyst Certification Program

What Counties are currently in this program? Calaveras, Kings, Madera, SLO, Santa Clara, Sonoma, and Tehama. 7 out of 58, we have work to do.

Currently this program certifies those who make Change in Ownership and Exemption decisions; with exception to HOX.

What challenges is your County facing while in this program and what is the main reason why your County is not participating?

8. 10:30-11:00am

Prop 19-Intergenerational Exclusion

1. P19 multi-unit properties, mom owns duplex, dies & son moves into her unit. Grant P19 on her unit, FMV the other unit. If now, son transfers 50% to his child, assuming all exclusion requirements are met, are counties pushing forward a blended value or the “qualified unit” value only?
2. Step-transactions & P19 – since the new law removes that exception to parent-child in step-transactions which was under P58, are other counties applying this (as they come across them)? Have any gone to appeals?
3. Prospective relief – are counties up and running with prospective relief system-wise? Any hiccups?
4. HOX filing – mom & son owned property for 15 years & son has HOX on file. Mom transfers interest to son & P19 is filed but no HOX within a year. Son argues for retroactive relief once they file rather than prospective because he has been living there & filed a HOX 15 years ago. However, it’s been 15 years and we don’t know if it has continued to be his principal residence. Are other counties just allowing it because son is an owner & had a hox filed years ago? Or are they doing a strict interpretation & requiring a new HOX within 1-year.
 - a. We are doing that in rare, case-by-case bases but do ask for support docs like taxes/driver’s license etc., to be sure it remained their principal residence in the intervening years. We don’t do it automatically.

9. 11:00-11:45

Revocable Transfer Upon Death Deed

Prior to 2016, the most common means of transferring real property upon death of the owner were (1) holding property in joint tenancy or as community property with rights of survivorship, (2) a living trust, or (3) a will. However, in 2016, a lesser-known alternative to keep a decedent's home out of probate became available to Californians: the revocable transfer on death or "TOD" deed, a simple and inexpensive way to transfer real property to a beneficiary in California.

TOD became effective on 01/01/2016 and will sunset on 01/01/2032 per SB315. While a TOD deed is attractive because of its simplicity and inexpensiveness, there are specific limiting criteria and procedural requirements for TOD deeds. First and foremost, there are limitations on the type of property that can be transferred through this deed. Only the following are covered:

- A single-family home or condominium unit
- A single-family residence on agricultural property of 40 acres or less, or
- A residence with no more than four residential dwelling unit.

Beginning on 01/01/2022, it must have two witness signatures. Beneficiaries can be a natural person, a trust, or a legal entity. If multiple beneficiaries are listed, they will become co-owners in equal shares as tenants-in-common. Conditions such as joint tenancy and unequal percentages of shares is not prohibited. If a natural person is listed it is recommended that they state the relationship to the Transferor, as a Preliminary Change in Ownership Report is not required upon recording. The legal description must be provided.

Pursuant to Probate Code Section 5664, if title is held in a joint tenancy, community property, or held in trust, it will be deemed void. However, if title is no longer in a joint tenancy, community property, or held in trust, the TOD becomes effective.

Can a TOD be revoked? Yes, and here's how.....

The Transferor can record a new TOD, thus superseding the current TOD.

The Transferor can record a Revocation of TOD Deed.

Transferor conveys their current interest to a third party, prior to death.

Revocable Transfer Upon Death Deed (continued)

How are Counties tracking these TOD's?

Are you communicating with the Transferor when the intent of their wishes on the TOD will not take effect on their date of death per the current title holding or vesting on their property?

Is the Recorder's Office in your County preventing TOD recordation on TOD's that are recorded after the 60 days it was signed? Do they look at the document sign date or the notary date as their starting point for this 60-day requirement?

Do any Counties have a pending or finalized court case surrounding TOD's and how we interpret this administration? For example, do some Transferors or Beneficiaries think that their TOD supersedes everything no matter how title is currently held/vested?

Scenario: A Recorder's Office is reviewing a TOD for recordation and a legal description is provided, so they record it. When it gets to the Assessor's Office, Mapping staff notices that it's an incomplete legal description. In this case, do you accept the TOD, or do you discard it and notify the Transferor to re-record to add the complete legal description? What if the Transferor has died in this case, do you ignore the TOD and put the property in the Estate Of or since "a legal" was provided on the TOD, do you accept it for Assessment Purposes Only?

- 10. 11:45-12:00pm Welfare Exemption-Low Income Housing**
In your County, are you experiencing exemption inquiries from Church properties that want to build low-income housing units on their property? Are they running into issues qualifying for this portion per the various restrictions in place?
-

12:00-1:00pm

LUNCH

Wine Country Italian Lunch Buffet in the Courtyard

- 11. 1:00-1:20pm CAASA Education Committee**
Education Committee Report
Summary of classes and the need for new trainers
-

- 12. 1:20-1:40pm Discussion on the Co-Tenancy Exclusion**

Effective for transfers on or after January 1, 2013. *R&T 62.3(e)*.

Exclusion provides that a Change in Ownership shall not include a transfer of a Cotenancy interest in real property from one cotenant to the other that takes effect upon the death of the transferor cotenant. *R&T 62.3(a)*

The transfer must solely be between two individuals who together own 100% of the real property in joint tenancy or as tenants in common. *R&T 62.3(a)(1)*

As a result of the death of one of the cotenants, the deceased cotenant's interest is transferred to the surviving cotenant. *R&T 62.3(a)(2)*

For the one-year period immediately preceding the transfer, the real property was co-owned and occupied as the primary residence by both the cotenants. *R&T 62.3(a) (3) – (a)(5)*

The transferee has signed, under penalty of perjury, an affidavit affirming that he or she continuously resided with the transferor at the residence for the one-year.

Discussion on the Co-Tenancy Exclusion (Continued)

period immediately preceding the transfer. *R&T 62.3(a) (6)* There is currently no filing deadline for this exclusion.

Is your County receiving these?

What issues have you faced or are facing with the administration of these claim forms?

13. 1:40-2:00pm Discussion on Prop 19 Base Year Value Transfers (BVT) Regarding Responses or Delayed Responses for Certifying the Out of County Value.

Counties are experiencing delays in their Prop 19 BVT Approvals due to untimely responses from other Counties. How can we all improve our response times, so we are not delaying the process for the other County?

14. 2:00-2:20pm Discussion on the Security Interest Exclusion

Do we require the assessee (who was added for financing purposes) come off title at a certain period? Is a specific loan agreement in place demanding that the assessee remain on title for the duration of the loan?

What types of supporting documentation do you request before you allow this exclusion from reassessment? Tax Returns, etc.

15. 2:20-2:30pm Discussion on Homeowners' Exemptions (HOX)

16. 2:30-2:45pm Discussion on Veterans' Exemptions (DVX)

17. 2:45-3:00pm Discussion on Religious and Church Exemptions

3:00-3:15pm

AFTERNOON BREAK

18. 3:00-3:20pm Discussion on Cemetery & Free Museum EX

19. 3:20-3:40pm Discussion on Public School and College EX

20. 3:40pm-5:00pm Prop 19 Scenarios
Including Intergenerational and BVT

5:00

ADJOURNMENT

See You All Tomorrow Morning

AGENDA

FRIDAY, September 29th, 2023

7:00-8:00am

Sunrise Hot Breakfast Buffet

21. 8:00am-8:15am Sonia Carter-Baltazar-President, CAASA

Call to Order

Announcements

Elections

22. 8:15-9:00am **Prop 19 Scenarios**

Including Intergenerational and BVT (continued)

23. 9:00am-9:20am **As Joint Tenants vs. All as Joint Tenants**

How is your County interpreting these? When more Than two Assesseees are listed, must you see the word "All" as joint tenants to honor it?

24. 9:20-9:40am **CAASA Mentorship**

With decades of experience parting from the office Along with future retirements, how is your County Progressing along? Exemptions@CALASSESSOR.ORG ChangeInOwnership@CALASSESSOR.ORG is this Helping?

25. 9:40-10:00am Joint Powers Agreements (JPAs)

Joint powers agreements or (JPAs) are contracts between two or more public agencies – such as a city, county, school district, or special district – which allows the agencies to cooperatively provide services or exercise shared powers outside each agency’s normal jurisdiction. The agreement may allow one agency to administer a service on behalf of another agency, or it can create an independent agency that operates on behalf of all the member agencies.

We have heard cases of honoring these JPA’s when a public entity owns the property with a non-profit or for-profit organization. Meaning that if a non-taxable entity co-owns a property with another organization, the property would qualify for non-taxable status. We have even heard cases where the for-profit entity owns the property outright but because they have a JPA written agreement, they would get non-taxable status too. Wow!!! Can you imagine the slippery slope this will cause, not to mention a clever way to bypass the Institutional Exemption Administration Process.

10:00-10:15am MORNING BREAK

26. 10:15-10:30am Staffing Vacancies

Is your County struggling to fill vacancies? As new Generations enter the workforce, are you combatting Work/Life Balance Theory and Quiet Quitting? Is the Demand for Teleworking increasing or a Hybrid

Schedule?

27. 10:30-10:50am CIO vs. EX Experience

Does your County have staff who are experienced Enough in Change in Ownership and in Exemptions? This might be a more prevalent issue for the Larger-staffed Counties. Upon working in two of the Top largest Counties in the State it appears that a Majority of the staff are specialized in either CIO or EX and not both. While this may meet business needs To get the workload done, I believe it would behoove Us all to have more staff who are proficient in both. What do you all think?

28. 10:50-11:15 Robert Gomez – Vice President, CAASA

Venue for 2024 and some ideas to incentivize more CAASA participation.

- Host County to secure venue and CAASA Board does the rest?
 - We have some Counties who have never hosted a roundtable before and some who have not for over a decade.
 - What would you like CAASA to do more of?
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29. 11:15 to 11:30am

Sonia Carter-Baltazar – President, CAASA
Closing Remarks

11:30am

ADJOURNMENT AND SAFE TRAVELS

SEE YOU NEXT YEAR