



## **RURAL NORTH VACAVILLE WATER DISTRICT**

**POLICY TITLE: Delinquent Assessment Policy**  
**POLICY NUMBER: 2167**  
**ADOPTION: April 8, 2008**  
**REVISIONS: May 14, 2019**

It is the policy of the District Board of Directors to provide a consistent and effective delinquency management policy for Special Assessment Districts within the Rural North Vacaville Water District (“Agency”).

**2167.1** Along with the resources of NBS Government Finance Group (“NBS”), contract ASSESSMENT Administrator to the District, and the Solano County Counsel (“Agency Attorney”) the Agency intends to provide a delinquency management policy with the following goals: (i) to protect the interest of lenders and other interested parties; (ii) encourage property owners to resolve delinquencies prior to litigation for the least expense; (iii) to treat property owners fairly and equally and; (iv) to allow for the commencement of “foreclosure action” if necessary through a series of standard administrative procedures escalating into litigation if necessary.

**2167.2** The implementation steps of the delinquency management policy and a description of each step follows:

- 1) January, NBS to send a Reminder Letter. - If an installment becomes delinquent for the first installment of the Fiscal Year, NBS will prepare and mail a letter to each delinquency property owner stating that they are delinquent and directing them to make payment to County Tax Collector. (Sample Reminder Letter attached)
- 2) May, NBS to send a Reminder Letter - If an installment becomes delinquent for the second installment of the Fiscal Year, NBS will prepare and mail a letter to each delinquent property owner stating that they are delinquent and directing them to make payment to County Tax Collector. (Sample Reminder Letter attached)
- 3) May, NBS to send a Demand Letter – If the first installment remains unpaid in May after the mailing of the Reminder Letter in January, and there are multiple years delinquent or combined delinquent amounts are greater than seven hundred dollars (\$700.00) then NBS will prepare and mail a Demand Letter to the property owner. This letter will reiterate that installments have not been paid and that if installments are not paid within 45 days from the date of the letter, the delinquency information may be provided to the Agency Attorney for initiation of judicial foreclosure proceedings against the property. (Sample Demand Letter attached)

- 4) July, Establish an Annual Conference Call, with Agency Manager, Agency Attorney & NBS – Parties to meet via conference call to determine whether any delinquent installments should be removed from the County Tax Roll and turned over to Agency Attorney for collection through judicial foreclosure proceedings. (Sample Foreclosure Letter, STRIP Letter, Notice of Intent to Remove Delinquent Assessment Installments from the Tax Roll) Delinquent assessment installments to be removed from the tax roll for the Agency require District Board of Directors approval.
  
- 5) July, During an Annual Conference Call, Discuss the effectiveness of the delinquency management policy with the Agency's General Manager, Agency's Attorney & NBS and recommend to the Agency's Board of Directors any changes to the future years' policy.

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Attachment(s)

Attachment A – Sample Reminder Letter

Attachment B – Sample Demand Letter

Attachment C – Sample Foreclosure Letter

Attachment D – Sample STRIP Letter

Attachment E – Sample Notice of Intent to Remove Delinquent Assessment Installments  
From the Tax Roll

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**Sample Reminder Letter**

DATE

PROPERTY OWNER  
or CURRENT RESIDENT  
ADDRESS  
CITY, STATE ZIP

**RE: RURAL NORTH VACAVILLE WATER DISTRICT SPECIAL ASSESSMENT DELINQUENCY  
RURAL NORTH VACAVILLE WATER ASSESSMENT DISTRICT  
APN(S): XXXX-XXX-XXX**

Dear Property Owner:

Your property is located within the above referenced Assessment District. According to the most recent data from the Solano County Tax Collector, there are delinquent installments due on this property.

***Note: These installments are part of your regular property taxes that become delinquent on December and April of every year. This letter pertains to current and/or prior year taxes.***

The Assessment District was created by the Rural North Vacaville Water District to fund public improvements in your area. When the Assessment District was created, loans were issued to raise money to pay for the improvements. A special assessment is billed annually against your property to pay off the loans. The Water District has covenanted to the loan holders that it will take certain steps, including the initiation of judicial foreclosure proceedings on properties which have special assessment delinquencies. The Water District may need to enforce this covenant even if you are delinquent for only one installment. Please note that this still applies even if you are participating in a Solano County Tax Collector payment plan.

Please pay the delinquent special assessment installments due on your property along with other delinquent property taxes directly to the Solano County Tax Collector. If you have recently paid, please disregard this letter. If you have any general questions regarding this Assessment District or the special assessment, please call NBS at 800-676-7516.

Sincerely,

**Sample Demand Letter**

DATE

PROPERTY OWNER  
or CURRENT RESIDENT  
ADDRESS  
CITY, STATE ZIP

**RE: RURAL NORTH VACAVILLE WATER DISTRICT SPECIAL ASSESSMENT DELINQUENCY  
RURAL NORTH VACAVILLE WATER ASSESSMENT DISTRICT  
APN(S): XXXX-XXX-XXX**

Dear Property Owner:

Your property is located within the above referenced Assessment District. According to the most recent data from the Solano County Tax Collector, there are delinquent installments due on this property.

***Note: These installments are part of your regular property taxes that become delinquent on December and April of every year. This letter pertains to current and/or prior year taxes.***

The Assessment District was created by the Rural North Vacaville Water District to fund public improvements in your area. When the Assessment District was created, loans were issued to raise money to pay for the improvements. A special assessment is billed annually against your property to pay off the loans. The Water District has covenanted to the loan holders that it will take certain steps, including the initiation of judicial foreclosure proceedings on properties which have special assessment delinquencies. The Water District may need to enforce this covenant even if you are delinquent for only one installment. Please note that this still applies even if you are participating in a Solano County Tax Collector payment plan.

**If the special assessment delinquency remains on your property after 45 days from the date of this letter, the Water District may be required to provide the delinquency information to an attorney to initiate judicial foreclosure against your property. At that time, the delinquency will be payable only to the foreclosure attorney, along with all applicable penalties, interest, attorney's fees and administrative expenses. The legal fees will be at least \$500, in addition to your delinquency amount.**

Please pay the delinquent special assessment installments due on your property along with other delinquent property taxes directly to the Solano County Tax Collector. If you have recently paid, please disregard this letter. If you have any general questions regarding this Assessment District or the special assessment, please call NBS at 800-676-7516.

Sincerely,

DATE

OWNER

ADDRESS

CITY, STATE, ZIP CODE

**RE: NOTICE OF FORECLOSURE  
RURAL NORTH VACAVILLE WATER DISTRICT SPECIAL ASSESSMENT DELINQUENCY  
RURAL NORTH VACAVILLE WATER ASSESSMENT DISTRICT**

Dear Property Owner,

Your property is located within part of the above referenced special Assessment District. The Rural North Vacaville Water District secured loans to finance improvements benefitting your property and others. These loans are repaid by the Water District in annual installments. The installments are paid from proportional assessments each property, like yours, which benefits from the improvements. Each year a special assessment for these improvements is placed on the Solano County property tax bill for you to pay.

Our records indicate you have not paid your property taxes and therefore have not paid your assessment which the Water District needs to repay the loans.

Previous efforts to have you pay the assessment on your property have been unsuccessful. In order to accomplish repayment, your delinquent installment(s) have been removed from your delinquent tax bill(s) so that the Water District could foreclose to obtain payment. To avoid foreclosure being initiated on your property, you must now pay your delinquent special assessment installment(s) directly to the Water District. This is true even if you are currently in a County of Solano Treasurer/Tax Collector payment plan. You must pay \$\_\_\_\_\_ (good through MM/DD/YYYY) to bring your delinquencies current. Please mail payment in full to:

Rural North Vacaville Water District, General Manager  
PO Box 5097  
Vacaville, CA 95696

If payment has not been received by the Rural North Vacaville Water District by MM/DD/YYYY, the Water District will provide the delinquency information to an attorney to initiate judicial foreclosure against your parcel in the Solano County Superior Court. At that time, the delinquency will be payable only to the foreclosure attorney, along with all applicable penalties, interest, attorney's fees and administrative expenses.

**This is the last notice you will receive.** To avoid judicial foreclosure and the additional cost thereof, you must make payment before MM/DD/YYYY. If you have any questions, please contact the undersigned at (800) 676-7516.

Respectfully,

Enclosures

DATE

\_\_\_\_\_  
County of Solano  
Tax Collector's Office

Fairfield, CA 94533

**RE: REMOVAL OF ASSESSMENT DISTRICT ASSESSMENTS FOR THE RURAL NORTH VACAVILLE  
WATER DISTRICT**

Dear \_\_\_\_\_,

Please remove from the tax roll the delinquent assessments and special taxes shown on the attached table. These delinquent assessments are to be collected in foreclosure actions that have been filed in the Superior Court of the County of Solano. Pursuant to Division 10, Part 14 of the Streets and Highways Code, Section 8833, and Chapter 2.5 of the Government Code, Sections 53356.2 and 53356.3, you are to be credited upon the current tax roll with the amounts charged against you on account of the assessments and special taxes to be sued on. A copy of the recorded NOTICE OF INTENT TO REMOVE DELINQUENT ASSESSMENTS is attached for your records. All inquiries regarding this request should be forwarded to:

NBS Government Finance Group  
Attn: Manuel R. Kauss  
32605 Temecula Parkway, Suite 100  
Temecula, CA 92592  
Phone: (800) 676-7516  
Fax: (909) 296-1998

I would greatly appreciate written confirmation of the fiscal year and amount for each assessment removed once removal has been completed. Please use the "Status" fields in the table for this purpose. Please also send such confirmation to NBS.

Respectfully,

General Manager

Enclosures

RECORDING REQUESTED BY AND RETURN TO:  
Rural North Vacaville Water District

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NOTICE OF INTENT TO REMOVE DELINQUENT INSTALLMENTS FROM THE TAX ROLL

RURAL NORTH VACAVILLE WATER DISTRICT

Rural North Vacaville Water Assessment District

In accordance with Section 53356.2 of the California Government Code, please TAKE NOTICE THAT:

1. The Rural North Vacaville Water District has ordered and is responsible for filing and prosecuting judicial foreclosure actions on behalf of loans against each parcel of real property described by Assessor's parcel Number ("APN"), for the purpose of collecting delinquent assessment installments listed on Exhibit "A" existing with respect to each such parcel.
2. From the date of recordation of this Notice, the County Tax Collector shall be credited upon the secured real property tax roll(s) with the delinquencies and the delinquencies shall no longer be collected by the County Tax Collector.
3. Upon presentation of written proof of recordation of this notice and a request by the Rural North Vacaville Water District, the County Tax Collector shall remove the delinquencies from the County tax roll.
4. The name of the owner of each APN as shown on the last equalized County assessment roll and the tax year and installment of each delinquency is listed on Exhibit "A".
5. Delinquencies occurring subsequent to the recordation of this Notice may also be removed from the County tax roll.
6. Recordation of this document constitutes notice that while the above referenced delinquencies may not appear on the County tax roll, they continue to represent a lien against the subject properties.
7. For questions concerning delinquencies, please contact:

Manuel R. Kauss  
NBS  
32605 Temecula Parkway, Suite 100  
Temecula, CA 92592  
(800) 676-7516

Dated: \_\_\_\_\_

\_\_\_\_\_, General Manager  
Rural North Vacaville Water District  
County of Solano, State of California