



DEAN C. LOGAN
Registrar-Recorder/County Clerk

May 12, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZE THE REGISTRAR-RECORDER/COUNTY CLERK (RR/CC) TO IMPLEMENT
CHANGES TO THE DOCUMENTARY TRANSFER TAX ACT PURSUANT TO ASSEMBLY BILL
1888
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

Recommendation to amend County Code Section 4.60.120 to require every document subject to the Documentary Transfer Tax (DTT), which is submitted for recordation, to show on the face of the document the amount of the tax due and the incorporated or unincorporated location of the lands, tenements, or other realty described in the document. The amendments will make Chapter 4.60 consistent with Assembly Bill 1888's (AB 1888) recent revisions to State law relating to the administration of the DTT.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the Ordinance amending Section 4.60.120 of the Los Angeles County Code to make the County Code consistent with State law requirements for recording documents that are subject to the DTT.
2. Adopt Ordinance effective thirty days from the date of Board passage in accordance with Revenue and Taxation code § 11933.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The ordinance amends Los Angeles County Code Title 4-60.120 "Documentary Transfer Tax, Payment Prerequisite to Recordation-Declaration Amount", ordinance 84-0157 § 2; which currently authorizes the amount of DTT due and the incorporated or unincorporated location of lands,




Los Angeles County Registrar-Recorder/County Clerk

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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PATRICK O'GAWA
ACTING EXECUTIVE OFFICER

tenements, or other realty described in the document to be declared on a separate paper rather than on the face of the document submitted for recordation.

Effective January 1, 2015, AB 1888 amended Revenue and Taxation (R&T) code § 11933 by removing the requirement that county recorders must, upon request, show the amount of documentary transfer tax due on a paper separate from the document subject to tax. This provision allowed customers to request that the amount of DTT due be declared on a separate paper affixed to the document submitted for recordation, rather than on its face.

These amendments will also make the text of Section 4.60.120 consistent with the wording of R&T § 11933 as to the payment of the DTT and the declaration requirements. To that end, Section 4.60.120 will also be amended by deleting the requirement that, upon request, the incorporated or unincorporated location of the lands, tenements, or other realty described in the document be shown on a separate paper affixed to the document.

The RR/CC is already complying with the changes made by AB 1888. To implement this change the RR/CC has updated necessary public outreach notifications, and revised procedures to ensure all documents are recorded according to the Revenue and Taxation code.

Implementation of Strategic Plan Goals

This request supports the County Strategic Plan as follows:

Goal No. 1: Operational Effectiveness: Maximize the effectiveness of the County's process, structure, and operations to support timely delivery of customer-oriented and efficient public service.

FISCAL IMPACT/FINANCING

The programmatic changes being implemented with this letter and ordinance will not result in any costs to the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Documentary Transfer Tax Act was amended and is outlined in Revenue and Taxation code §§ 11932 and 11933.

This change in the Documentary Transfer Tax Act deletes the requirement to accept a separate tax declaration accompanying the document, was approved by the Legislature with the passage of AB 1888.

The accompanying ordinance implements an amendment to Title 4.60.120, Documentary Transfer Taxes of the County Code, has been approved to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Your approval of this recommendation will ensure that the RR/CC remains compliant with the current provisions as set forth in Revenue and Taxation code § 11933 that speaks to the administration of the Documentary Transfer Tax Act.

The Honorable Board of Supervisors

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CONCLUSION

Upon approval by your Board, the Executive Officer is requested to return one (1) adopted copy of this letter to:

Department of Registrar-Recorder/County Clerk
Governmental & Legislative Affairs Division
12400 Imperial Highway
Norwalk, CA 90650
Attention: Aaron Nevarez, Executive Assistant

Respectfully submitted,

A handwritten signature in black ink that reads "Dean C. Logan". The signature is written in a cursive, flowing style.

DEAN C. LOGAN

Registrar-Recorder/County Clerk

DCL:AN

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller