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Jul 19 (5 days ago)

to sally.neitling, jeanne.amos, bosfive, me

Jeanne, Sally - Per my phone conversation with Jeanne today regarding assessing timeshares so that all are equally and fairly assessed, I recommend the following language revision and additions to the draft resolution:

Change item 2d to read:

"The annual amount of the special tax on Time Share Units shall be \$1.00 per Time Share Interest. A Timeshare Unit means a residential unit for which (a) the right to occupy is divided into specified periods of time on a periodic basis and (b) the right to occupy such unit for a particular period of time on a periodic basis is legally transferrable. A Time Share Interest means a legally transferable interest in a Time Share Unit that includes the right to occupy such Time Share Unit for a particular period of time on a periodic basis (but not including a Parent Parcel, which is the underlying parcel upon which a Time Share Unit physically resides.) If a Time Share Unit is divided into fewer than 50 Time Share Interests per year, then the Maximum Special Tax for each Time Share Interest for such Time Share Unit shall be the amount necessary to achieve the amount of Special Tax Revenues per year that would result if such Time Share Unit were divided into Standard Time Share Interests (which is an interest that represents 1/50th of the annual occupancy rights in a Time Share Unit.)

Notes:

1. The wording is changed from "parcels" to "units" because many time share units are never converted to property tax roll parcels.
2. The definitions included above for time share units, interests, standard time share interests, and parent parcels are needed so that all physical units that are used for interval ownership residential purposes will be equally, and therefore fairly, assessed.

I suggest you run the above language by county counsel to see if it can be shortened, but it is that language whose details have been necessary to accomplish Measure S assessments for the past several years.

Attached: The draft 2012-2013 measure S assessment summary. The time share pages are pages 5 and 6.

1. The page 5 are parcelized units on a 51 and 52 week basis, as shown.
2. On page 6 the Grand Residence illustrates the "standard time share interest" issue: There are 199 physical units, of which 181 are 13 week units; the other 18 are divided into two - 5 week + one 3 week timeshares. The total timeshare units is  $199 \times 52 = 10,348$  and the 13 week units are assessed \$13 each, the others \$5 and \$3 respectively
3. The other page 6 items are timeshare properties that have never been parcelized, and/or are choosing to have the timeshare assessment sent to the parent (management) parcel, which then adds the assessment to other timeshare management fees that are billed to the interval week owners.

Hope this explains why the resolution wording needs to be revised.

John Upton, staff

SLT Recreation Facilities Joint Powers Authority

CC: District 5 Supervisor Norma Santiago, Assistant Judi McCallum

Submitted by Norma  
Santiago  
at Board Hearing of 7-27-12  
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