

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Non-Acceptance of Surety Bonds

**Policy
Number**

B-26

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Purpose

To establish a policy for the Clerk of the Board of Supervisors to follow on behalf of the Chief Administrative Officer when presented a surety bond from property subdividers.

Background

Government Code Sections 66492, et. seq., provide that before a final subdivision or parcel map can be filed, all real estate taxes which constitute a lien on the property being subdivided, must be paid. The Code further provides that, if the map is being filed after the taxes are a lien, but not yet payable, a bond to guarantee payment of taxes must be posted with the Clerk of the Board of Supervisors in the amount estimated by the Tax Collector.

In recent years, the number of subdividers not paying real estate taxes has been increasing and may be why more insurance companies are refusing to pay on their bonds without legal action by County Counsel. Since the initiation of litigation constitutes a substantial cost to the County, steps should be taken to insure that the number of nonpayments on bonds is minimized.

Policy

It is the policy of the Board of Supervisors that:

Acting on behalf of the Chief Administrative Officer the Clerk of the Board shall not accept a surety bond from a company that has refused to pay a demand on an existing bond.

Sunset Date

This policy will be reviewed for continuance by 12-31-25.

Previous Board Action

2-10-76 (66)

11-6-84 (8)

1-31-89 (28)

05-11-04 (04)

12-09-08 (33)

11-08-11 (24)

10-30-18 (23)

CAO Reference

1. Clerk of the Board of Supervisors