

MILLARD COUNTY, UTAH
RESOLUTION NO. 17-03-07

A RESOLUTION OF THE MILLARD COUNTY COMMISSION ADOPTING A POLICY REGULATING MAILING ADDRESS CHANGES ASSOCIATED WITH REAL PROPERTY RECORDS AND TAX NOTICES MAINTAINED AND RELIED UPON BY MILLARD COUNTY OFFICES.

RECITALS

WHEREAS, the Millard County Recorder's Office serves as the repository for records relating to the ownership, transfer, and encumbrance of real property and maintains a database of current ownership information, including names and mailing addresses; and

WHEREAS, the Millard County Assessor's Office relies on real property descriptions, ownership records, and other information maintained by the Millard County Recorder's Office to value individual parcels of real property for purposes of property tax assessment; and

WHEREAS, the Millard County Auditor's Office relies on ownership information maintained by the Millard County Recorder's Office to transmit Notices of Valuation to record owners of real property and to process tax changes, appeals, and abatement requests; and

WHEREAS, the Millard County Treasurer's Office relies on ownership information maintained by the Millard County Recorder's Office to transmit property tax notices to individual parcel owners in an effort to collect and receive property taxes, the primary source of revenue for Millard County; and

WHEREAS, Millard County has not heretofore had a policy regulating the process for requesting a change of the mailing address associated with and individual parcel of real property; and

WHEREAS, Millard County's practice has been to allow anyone to request that the mailing address associated with an individual parcel of real property be changed or that property tax notices be sent "care of" the person requesting the change or any other person; and

WHEREAS, Millard County's practice has led to an increasing amount of confusion and hostility and has placed Millard County offices and officers in the middle of family disagreements and potentially fraudulent situations; and

WHEREAS, the Millard County Commission has determined that for the benefit of all of the Millard County offices that maintain or rely upon real property ownership records and information a general policy should be adopted regulating and governing the process for

requesting that mailing addresses be changed or that property tax notices be sent “care of” a person other than the record owner of the property.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Millard County, Utah:

1. Change of Address Policy.

A. Request by Record Owner. A mailing address change or the addition of a “care of” designee associated with a parcel of real property located in Millard County, Utah may be requested by a record owner of the parcel by submitting a written or electronic request to the Millard County Recorder’s Office. If the request meets the form requirements set forth in this policy the change shall be effective upon receipt by the Millard County Recorder’s Office.

B. Request by Duly Qualified Representative. A mailing address change or the addition of a “care of” designee associated with a parcel of real property located in Millard County, Utah may be requested by a duly qualified agent (power of attorney), guardian, conservator, personal representative, or successor trustee of an owner of the parcel by submitting a written or electronic request to the Millard County Recorder’s Office along with valid proof of qualification and appointment. If the request meets the form requirements set forth in this policy the change shall be effective upon receipt by the Millard County Recorder’s Office.

C. Request by Officer of Entity/Corporate Owner. A mailing address change or the addition of a “care of” designee associated with a parcel of real property located in Millard County, Utah may be requested by a partner, member, or officer of an entity or corporate owner of the parcel by submitting a written or electronic request to the Millard County Recorder’s Office along with valid proof of authority to act on behalf of the entity or corporation. If the request meets the form requirements set forth in this policy the change shall be effective upon receipt by the Millard County Recorder’s Office.

D. Request by Others. A mailing address change or the addition of a “care of” designee associated with a parcel of real property located in Millard County, Utah may be requested by any person not enumerated in the foregoing paragraphs by submitting a written or electronic request to the Millard County Recorder’s Office along with a statement certifying that the person is authorized by the record owner of the parcel or by the agent, guardian, conservator, personal representative trustee, partner, member, or officer of the record owner of the parcel. The certification shall include an acknowledgment that any false statements or deliberate misinformation in the request will constitute a criminal offense. Upon receipt of a change request the Millard County Recorder shall promptly notify the record owner of the parcel of the change request by mailing notice to the record owner at the mailing address on record. The notice shall indicate that the record owner must object to the requested change within thirty days of the date of the notice or the requested change will become effective. If an objection is

received by the Millard County Recorder from the record owner of the parcel within thirty days the requested change will not become effective.

E. Telephone Requests. Telephone requests to change a mailing address associated with a parcel of real property will not be accepted.

F. Form of Requests. Hard copy and electronic request forms shall be developed through the cooperative efforts of the Millard County Recorder, the Millard County Assessor, and the Millard County Treasurer, along with the information technology department and the web site administrator. Request forms shall include all of the information necessary to effect the requested changes and to ascertain the authority of the person requesting the change. The request form shall include the certification language referenced above and an acknowledgement that a false statement or deliberate misinformation in a change request will constitute a criminal offense and be investigated and prosecuted accordingly.

2. Recitals. The recitals set forth above are hereby adopted and incorporated by this reference.

3. Effective Date. This resolution shall become effective upon adoption.

RESOLUTION APPROVED AND ADOPTED by the unanimous/majority vote of the Millard County Commission this 7th day of March 2017.

VOTING

Commissioner Withers	<u>✓</u>	<u> </u>
	Yes	No
Commissioner Draper	<u>✓</u>	<u> </u>
	Yes	No
Commissioner Jackson	<u>✓</u>	<u> </u>
	Yes	No

MILLARD COUNTY COMMISSION

By: James I. Withers
JAMES I. WITHERS
Chairman

Attest: Marki Rowley
MARKI ROWLEY
Millard County Clerk