

ABANDONED PROPERTY NOTICE

What the house can do with abandoned property is dictated by the Oregon Landlord Tenant Act.

The landlord (i.e. the house) cannot keep abandoned property. It must be "disposed of," i.e. thrown away, given to a non-profit organization or to a person not related to anyone in the house or to anyone in another house.

Property is considered abandoned if the house member has left the house and the house believes (reasonably) that they are not coming back or if the house member has been absent for 7 days after they have been evicted with a court order.

Prior to disposing of the property, the house must give written notice to the house member that:

- Must be personally delivered to the house member; or
- Sent by first class mail addressed and mailed to the member at:
 - The house,
 - Any post-office box held by the member and actually known to the house, or
 - The most recent forwarding address if provided by the member.

The act stipulates what the form must say. (See the "Abandoned Property Form." The house must provide a specific date by which time the tenant member must contact the house. It must be at least 5 days after the notice is given. The house must also provide a telephone number for contact and set up an appointment for the property to be removed at a reasonable time.

If the member fails to contact the house by the specified date, or fails to remove the property within 15 days after the member talked to the house, the house may dispose of the property.

EXAMPLE: The member leaves the house on June 1st. She has not returned by June 8th and the house knows she is gone. The house then fills out the form and mail it to the house. The form will stipulate that the member must contact the house within 5 days (by June 13th) and provide an address and telephone number. If the member calls on June 13, they have an additional 15 days to pick up the property (until June 28th). If they don't contact the house by June 13 or don't pick up the property by June 28th, then the property can be disposed of.

Abandoned Property Notice

DATE: _____ TENANT(S): _____ et al.

ADDRESS: _____.

CITY: _____ STATE: _____ ZIP: _____.

This is to inform you that _____ Survivors House is in possession of property belonging to you.

Please contact the _____ Survivors House immediately to arrange for the removal of your property. You have 5 days to contact us to arrange the removal of your property. If you fail to remove your property in a timely manner (within 15 days of end of the aforementioned contact period) we will dispose of it according to Oregon Law.

We have determined that the current fair market value of the property is \$500.00 or less or so low that the cost of storage and conducting a public sale probably exceeds the amount that would be realized from the sale and intends to destroy or otherwise dispose of the personal property if it is not claimed.

If you claim the property within the time provided we will make it available to you at reasonable times for removal without payment of any costs, charges or other sums. If you fail to contact us by the specified date, or after contact, fail to remove the personal property within fifteen days, we may sell or otherwise dispose of it.

Thank you for your cooperation.

SERVICE OF NOTICE AND EFFECTIVE DATE:

This notice has been served personally at _____ am/pm on _____ (date)

This notice has been served by first class mail and the effective date is extended by four days including the date mailed.

CONTACT PERSON: _____.

ADDRESS: _____.

TELEPHONE: _____.