



Proper Handling of Tenants' Abandoned Belongings and Sample Notice

Occasionally, tenants leave their housing unit without notifying the owner or manager. It is important to preserve the tenants' rights to their belongings, particularly if they might return in the future to reclaim their property.

The property manager should direct the legal and respectful storage or disposal of any personal belongings left by the former tenant. If the tenant moves out, the owner can enter the unit without notice. Sometimes it is unclear whether the tenant has abandoned the unit — the tenant may be away on a trip or staying with someone else. When it appears the tenant may have abandoned the unit, the law requires the provider to post a *Notice of Belief of Abandonment* (see Appendix 1 for a sample) on the tenant's door for a period of 14 days before removing any furniture or belongings that the tenants has left behind.

Owners also are required by law to store any items that have more than nominal value for a period of time in case the tenant should return. The provider should get competent legal advice if the unit appears to have been abandoned, but furniture and other items were left behind. Proper procedures include providing the tenant with notice that personal property has been left on the premises, affording the tenant the opportunity for a limited period of time to reclaim the property, and disposing of the property or storing it in accordance with certain procedures, as directed by applicable local or state law.

Staff members should inventory and sign a list documenting the removal of any items with more than nominal value.



Sample Notice of Belief of Abandonment

Note: This is an example of a notice served when the owner believes that tenant has vacated the unit. Legally required notices vary by jurisdiction and should always be reviewed by legal counsel prior to service.

1 **Notice of Belief of Abandonment**

2 [Enter Civil Code Citation here]

3
4

5 To: _____ DOES 1 to 10,
6 And to all other persons and Occupants in Possession

7

8 This notice is given pursuant to Section [] of the Civil Code concerning the real property
9 leased by you at _____
10 [City, State]. The rent on this property has been due and unpaid for 14 consecutive
11 days and the lessor/landlord believes that you have abandoned the property.

12

13 The real property will be deemed abandoned within the meaning of [] of the Civil
14 Code and your lease will terminate on _____, 20__.
15 Unless before such date the undersigned receives at the address indicated below a written
16 notice from you stating both of the following:

17

- 18 (1) Your intent not to abandon the real property.
- 19 (2) An address at which you may be served by certified mail in any action for
- 20 unlawful detainer of the real property.

21

22 You are required to pay the rent due and unpaid on this real property as required by the
23 lease, and your failure to do so can lead to a court proceeding against you.

24

25

26

27 Dated: _____ By: _____
28 Property Manager for Landlord
29 Address
30 Telephone Number

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32

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