



Proper Handling of Tenants' Abandoned Belongings

Occasionally, tenants leave supportive housing developments without first 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 building 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. Where it appears the tenant may have abandoned the unit, the law requires the provider to post a *Notice of Belief of Abandonment* (see [sample](#) attached) on the tenant's door for a period of fourteen days before removing any furniture or belongings that the tenants has left behind.

Owners are also 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.

Any removal of items that have more than nominal value should be documented with an inventory list that is then signed by staff members handling the items.

A sample *Notice of Belief of Abandonment* is attached.

Note: This document is included within the *Housing Operations* section of CSH's *Toolkit for Developing and Operating Supportive Housing*, which is available at www.csh.org/toolkit2. This document has been adapted from CSH's *Supportive Housing Property Management Operations Manual*, which is available at www.csh.org/publications.



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.

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Notice of Belief of Abandonment [Enter Civil Code Citation here]

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

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

The real property will be deemed abandoned within the meaning of [] of the Civil Code and your lease will terminate on _____, 200____, Unless before such date the undersigned receives at the address indicated below a written notice from you stating both of the following:

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

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

Dated: _____ By: _____
Property Manager for Landlord
Address
Telephone Number

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