

Village of Debden

Policy Title Unclaimed Property Policy	Adopted By Council	Policy Number 2/2023	
Jurisdiction Village of Debden	Attachments: Schedule A-listing	Effective Date September 14,2023	Page
Reviewed By Council		Amended:	1 of 1

Purpose

- 1) This policy is to enable the Village of Debden to provide for the disposition of lost and unclaimed personal property in the possession of or remaining on the property of the Village through means of *The Tax Enforcement Act* and all other applicable Acts.

Policy

- 1) In all cases the Village of Debden will comply with Section 406 of *The Municipalities Act, Unclaimed Personal Property*. The procedures will be a joint effort between Administration, Public Works, Council Members as well as any third party groups as Council deems fit; ex: hiring of a cleaner.

Procedure

- 1) The Village of Debden shall retain all unclaimed personal property in its possession for 90 days, except as provided in Section 2.
- 2) Any perishable property may be disposed of as soon as practicable after the property is received by the Village.
- 3) Administration will attempt to make contact with the previous owner as soon as possible after the property is transferred to the Village. A letter will be mailed to the last address on file and will also be sent through email if available. Administration will document the methods of contact and keep them with the Tax Enforcement documents.
- 4) If there is no response, the belongings will be considered abandoned and the Village will proceed as Council deems fit after the 90 day waiting period has expired.
- 5) In the case of contact being made with the previous property Owner, Administration will make arrangements with them to clear the property of all contents (excluding any buildings.) Any items not removed from the property 90 days after the Village has retained ownership is considered abandoned.
- 6) If personal property is not claimed within the time limit specified in Section 4, it becomes the property of the Village, and the Village may dispose of the property:
 - a) By donating it to any person or organization; or
 - b) By offering it for sale by tender or public sale. Any personal property offered for sale at a public sale that is not sold may be disposed of in any manner that the Administrator may direct.

- 7) The way in which personal property is disposed of will be dependent on the value of the goods. In the case of serial goods (motor vehicle, recreational vehicles,) a search of the Personal Property Registry (PPR) shall be completed. If there are liens attached, the holder will be contacted to determine if they wish to pick up the property. Property such as appliances may be left in the building to add value to the property in the case of a sale.
- 8) Prior to deciding how best to dispose of personal property, all items must be documented using **Schedule A** with as much detail as possible. This documentation will become a part of the Tax Enforcement file of the previous owner.
- 9) A person who acquires personal property from the Village becomes the Owner of the personal property and any claim of the earlier owner is converted into a claim for the proceeds of the sale.
- 10) All charges relating to the handling of the property will be the responsibility of the previous property owner. All costs will be documented by the Administrator and will become a part of the Tax Enforcement file. Proceeds, if any, will first be applied to the costs related to the disposal of the property including but not limited to cleaning, hauling, storage, staff wages, PPR searches or other necessary outlays.
- 11) As per subsection 406(4) of *The Municipalities Act*, the previous owner will have one year from the date of sale of the personal property to make claim to the proceeds from the Village. If the funds are not claimed within this one year, they form a part of the general funds of the municipality.

Administrator

Council Meeting Date

Mayor

In Effect September 2023

