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| Policies of the University of North Texas | Chapter 12 |
| 12.002 Disposal of Abandoned Property | Campus Safety and Security |

Policy Statement. To establish the policy and procedure for disposing of abandoned and unclaimed personal property coming into the possession of the UNT Police Department as authorized by section 51.213 of the Texas Education Code.

Application of Policy. University Police

Definitions.

1. **Abandoned Property.** “Abandoned Property” means any unclaimed personal property coming into the possession of the university. This can include lost and mislaid property.
2. **Lost Property.** “Lost Property” means personal property that the owner involuntarily parted with through neglect, carelessness, or inadvertence.
3. **Mislaid Property.** “Mislaid Property” means personal property that the owner stores in a location with the intent to return and retrieve it but then forgets to retrieve it.

Procedures and Responsibilities. The University Police Department may dispose of abandoned and unclaimed personal property that comes into its possession in the course of performing official duties. This property includes, but is not limited to, currency, abandoned motor vehicles, bicycles, books, clothing, and electronic devices. Property held as evidence will be presumed abandoned after it is no longer valuable as evidence and is not claimed by its rightful owner.

- I. Disposal of Personal Property.
 - A. Property that remains unclaimed for a minimum of thirty (30) days after it comes into possession of the Police Department may be disposed of as set out below:
 1. Posting Requirement: The Police Department will list all abandoned and unclaimed personal property on its department website. Property must be listed on the website for a minimum of thirty (30) days before disposal.
 2. Property with an Identifiable Owner: When the owner of personal property is identifiable, the Police Department will make a reasonable effort to notify the owner that her/his personal property is in the possession of the Department. The property will be presumed abandoned if the rightful owner cannot be notified or she/he fails to respond to written notification. The Department may dispose of property that is presumed abandoned no earlier than thirty (30) days after the date written notice is mailed or sixty (60) days after reasonable efforts have been made to locate the owner and no mailing address can be found. This provision does not apply to abandoned and unclaimed motor vehicles.

3. Property with No Identifiable Owner: When the rightful owner of property cannot be identified, the Department will make reasonable efforts to identify an owner before disposal of the property. If, after reasonable efforts, the Department cannot identify the lawful owner, property will be presumed abandoned thirty (30) days after the last attempt to identify the owner. The Department may dispose of the property no earlier than thirty (30) days after the date the property is presumed abandoned. This provision does not apply to abandoned and unclaimed motor vehicles.
 4. Abandoned and Unclaimed Motor Vehicles: Notwithstanding the provisions set out above, the Department may dispose of abandoned and unclaimed motor vehicles by impounding them under Chapter 683 of the Texas Transportation Code. Abandoned motor vehicles include vehicles impounded by the University Police Department and unclaimed by their owners and vehicles that meet the definition of abandoned vehicles contained in Chapter 683 of the Texas Transportation Code.
- B. Abandoned property, other than money, will be transferred to Asset Management for disposal.
1. Asset Management may transfer property that may be of use to any department within the University to that department.
 2. Property that is not of use to the University will be disposed of through a public auction, sealed bid sale, or other method of recognized government sale under Texas law, as determined by UNT Chief of Police and Asset Management.
- C. Money that is abandoned or found in abandoned property shall be deposited in an appropriate university Abandoned Property Account managed by the Chief of Police. These funds may be used for administrative and technical support purposes or other purpose beneficial to the University as determined by the Vice President for Finance and Administration.
- D. Funds generated by the sale of abandoned property will be deposited into the account authorized in paragraph C above.
- E. This policy does not apply to property seized by the University Police Department which is subject to the provisions of Chapter 59, Forfeiture of Contraband, Texas Code of Criminal Procedures.

Responsible Party: Chief of Police and Asset Management

- II. Reporting or Claiming Abandoned Personal Property. An individual who finds abandoned personal property on the University campus and is seeking to claim abandoned personal property should follow the procedures set forth below.
- A. The individual who finds lost or unclaimed property should turn in said property to the University Police Department.

- B. The University Police Department will follow its guidelines listed in section I. A. above for identifying and notifying the actual owner that the personal property is in the possession of the university police department.
- C. Money and personal property, other than motor vehicles as defined in the Texas Transportation Code, identified as abandoned shall be held by the University police department for a minimum of ninety (90) days during which time the rightful owner can recover the property. At the end of the holding period, all tangible items will be disposed of according to the guidelines listed in section I. B. above. Unclaimed cash may be returned to the finder if a written claim is submitted and approved by the Office of General Counsel. This policy does not apply to abandoned property, including cash that is found by a university employee in the course and scope of employment.
- D. The individual finding the abandoned money must submit a claim form no later than 30 days after the holding period expires. The claim form must be signed and dated by the claimant and include name, address, phone number, and a detailed description of the manner in which the property was discovered.
- E. The Chief of Police, or designee, will forward the claim form along with investigation reports, copies of posted notices, and any other information regarding the abandoned and unclaimed property to the Office of General Counsel.
- F. The OGC will review the matter and determine if the University or the claimant has a lawful right to the money and forward a legal opinion to the Chief of Police within fifteen (15) business days from the date of receipt.
- G. If the finder is determined to have a right to the personal property, the OGC will provide a waiver and release agreement to be signed by the claimant prior to processing the payment.
- H. The University police department will process a request for payment from the account earmarked for Abandoned Property within fifteen (15) business days from the date the signed waiver and release agreement is received.

Responsible Party: Chief of Police and Asset Management

References and Cross-references.

Texas Education Code, Section 51.213

Texas Code of Criminal Procedures, Chapter 59, Forfeiture of Contraband

Texas Transportation Code, Chapter 683

Forms and Tools.

None

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**format only*

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