

CF OPERATING PROCEDURE
NO. 80-3

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, August 14, 1997

Property Management

DISPOSAL OF CLIENT UNCLAIMED TANGIBLE PERSONAL PROPERTY

1. Purpose. This operating procedure prescribes responsibilities and procedures for the disposal of unclaimed or abandoned tangible personal property belonging to former or deceased Department of Children and Families' clients in compliance with section 402.17, Florida Statutes (F.S.).
2. Scope. This operating procedure applies to all Department of Children and Families institutions and facilities including major institutions, client service centers and other facilities having the responsibility of collecting, storing, and safeguarding tangible personal property of clients being admitted for care and treatment.
3. References.
 - a. Chapter 717, F.S., Disposition of Unclaimed Property.
 - b. Chapter 705, F.S., Lost or Abandoned Property.
 - c. Section 402.17, F.S., Claims for Care and Maintenance Trust Property.
 - d. Rule 3D-20.030(3). Florida Administrative Code, Rules for Disposing of Unclaimed Property.
4. Definitions.
 - a. Tangible Personal Property. Rings, watches, jewelry, and other personal effects or items being held for safekeeping while the client was in the care and treatment of a Department of Children and Families' institution or other facility. (Clothing and personal hygiene items are considered consumable, and are not considered tangible property under this definition.)
 - b. Intangible Personal Property. Includes but is not limited to money, all evidence of debt owed (accounts and notes receivable, mortgages, bonds, certificates of deposit, etc.), all evidence of ownership in a corporation or other business (stocks, joint venture and partnership agreements), and other forms of property where value is based upon that which the property represents rather than its

This operating procedure supersedes HRSR 80-3 dated December 1, 1985.

OPR: ASGGS

DISTRIBUTION: X: OSES(1); OSLs(1); OSIG(1); AS(1); ASFM(1); ASG(60); ASHR(1); PDMH(1); PDDS(3); Auditor General(2). Districts Distribute as Follows:

District	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Total
DA	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	15
DLC	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	15
DMAS	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	15
DPODS	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	15
DPOMH	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	15
MH Inst./Facil.	6	6	6	6		6	6	6		6	6	6	6	6	6	78
DS Inst./Facil.		6	6					6			6					24
Total	11	17	17	11	5	11	11	17	5	11	17	11	11	11	11	177

own intrinsic value. The disposal of unclaimed intangible personal property is regulated by Volume 10, Chapter 12 of the Accounting Procedures Manual.

c. Abandoned. Tangible personal property held for a client by the Department of Children and Families that has remained unclaimed by the owner or their next-of-kin for more than five years.

d. Client. A person who was a resident of a Department of Children and Families institution or facility.

5. District and Institution Responsibilities.

a. For each item of abandoned personal property meeting the definition in paragraph 4a above, the district general services manager, institution business manager or designee (always being someone other than the property administrator) will submit a Report of Unclaimed Tangible Personal Property, form CF 1070 (see appendix A to this operating procedure) to the office of general services support (ASGGS). Form CF 1070, which may be reproduced locally, must be completed and submitted to ASGGS no later than March 31 of each year. The report will include the following information for each item:

(1) Location of the property.

(2) Circumstances surrounding the abandonment.

(3) The name, if known, and last known address of the person (client) indicated in the records to be the owner of the property, or the owner's next-of-kin. Items of property under the value of \$50.00 each may be reported in aggregate. NOTE: If the items of any one owner are under \$50.00, those items may be combined with all other items of like classification of less than \$50.00, and the total for each class of such items listed on the report.

(4) The description and identifying number, if any, of the property.

(5) The date the department took custody of the property, and the date when the property became demandable or returnable (i.e., the date of discharge or death of the client).

(6) If the district, institution or facility is a successor to another district, institution or facility that previously held the property for the owner, a list all prior known names and addresses of each holder of the property.

(7) A description of each item of property. The description must be certified by a qualified appraiser and include an estimated value of each item based upon a minimum sufficient bid price that the item should sell for at a public auction. This sufficient bid price could also be based on what the appraiser would pay for the item on the date of appraisal.

(8) The date of the appraisal.

(9) The signature of the district manager for administrative services or his designee.

(10) If the item of property reported can be identified as belonging to a Department of Children and Families client (or former client), a notarized statement describing the efforts made to ascertain the whereabouts of the owner or the owner's next-of-kin.

b. Between January 1 and March 1, the district, institution or facility will send written notice to the apparent owner at the owner's last known address informing the owner that the district is in possession of the owner's property, provided:

(1) The district has in its records an address for the apparent owner which the records do not show to be inaccurate.

(2) The claim of the owner is not barred by the statute of limitations.

6. Submission of District and Institution Reports. District and institution reports must be sent to ASGGS no later than March 31 of each year for property on hand as of June 30 of each year.

7. Action by the Office of General Services. The office of general services (ASG) will be provided with complete copies of all of the reports of unclaimed property, along with the recommendations of ASGGS as to whether the property items should be declared abandoned or not. ASG will review the reports and recommendations and decide whether to approve or disapprove of the disposal of all unclaimed property.

8. Collecting Property Within Each District and Institution. After ASG grants permission to dispose of unclaimed property, ASGGS will direct the districts to have those facilities with the abandoned property in their possession to deliver that property to the district offices for disposal. If the owner establishes the right to receive the abandoned property before the property has been delivered to the district office or if it appears that for some other reason the presumption of abandonment is erroneous, the district general services manager or his designee will notify ASGGS of the status change. ASGGS will then direct each district and institution to dispose of the remaining abandoned property.

9. Disposal of Abandoned Property. When directed by ASGGS, each district and institution shall report the abandoned property to the local sheriff's or police department. The sheriff or police department will take possession of the items and dispose of them in accordance with Chapter 705, F.S. Department personnel shall not make any claims on the items turned over to law enforcement officials.

10. Retention of Records. The retention of records pertaining to abandoned property shall remain the responsibility of the districts and institutions. District and institution property administrators will maintain a record of the name and last known address of the owner for 10 years after the property is disposed.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

DENNIS L CROFT
Assistant Secretary for
Administration

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This operating procedure revises HRSR 80-3 in order to reflect changes in Chapter 717, Florida Statutes.



DISPOSAL OF UNCLAIMED TANGIBLE PERSONAL PROPERTY

(Name of Institution/Facility)

(District)

(Owner's Name, if Known)

(Social Security Number)

(Owner's Last Known Street Address)

(Date Property was Abandoned)

(City, State, Zip Code)

(Date of Last

Transac. w/Owner)

(Name, Address of Prior Holder)

(Empty lines for prior holder details)

DESCRIPTION OF PROPERTY (Serial Number, if Applicable)	ESTIMATED VALUE

(Additional Items Should be Listed on Separate Page if Same Owner)

APPRAISED BY: _____ DATE: _____

CIRCUMSTANCES SURROUNDING ABANDONMENT: _____

(Empty lines for abandonment circumstances)

Attach a signed, notarized statement describing efforts made to ascertain the whereabouts of owner (if property can be identified to an owner).

SUBMITTED BY: _____ (Signature) _____ (Date Signed)

_____ (Typed Name) _____ (Title)