

## Abandoned Personal Property After Termination of Tenancy

**Tenant's right to retrieve stored property.** If a tenant leaves personal property behind after termination of a tenancy, the landlord or property manager, must store the property and give the tenant an opportunity to retrieve it. The personal property can be stored somewhere on the real estate, such a garage, shed, or spare room, or in a separate facility such as a storage building.

**Written notice to tenant using the CAR Sample Letters.** The tenant must be given proper notice. California law allows a specific notice to be used. C.A.R. members may find the Abandoned Personal Property (Residential) (APPR) letter in the C.A.R. Sample Letters library located in zipForm®.

The notice, if sent by first class mail, will allow the tenant 18 days to reclaim the personal property (or 15 days if the notice is delivered personally). If the tenant wants the property returned, the tenant must pay for the reasonable cost of storage.

**To auction or throw out?** If the tenant fails to timely retrieve the personal property, how it is disposed of will depend on its estimated value. If the landlord or property manager reasonably believes the personal property has a total resale value of *less than* \$700.00, the landlord may keep or dispose of the personal property in any way. If the landlord or property manager reasonably believes the personal property is worth \$700.00 or greater, it must be disposed of at a public sale after notices of the sale has been given by publication and as specified by statute (Civil Code Section 1988).

**Commercial Tenancy?** Similar rules apply to abandoned personal property left after termination of a commercial tenancy. California law allows for a specific form be used with slightly different procedures. C.A.R. members may find the Abandoned Personal Property (Commercial) (APPC) letter in the C.A.R. Sample Letters library located in zipForm®, along with detailed instructions on its use.