



UT System Administration Policy Library -- Policy UTS162
Disposal of Unclaimed Property

Responsible Officer: Vice Chancellor for Business Affairs

Sponsoring Office: Office of Business Affairs

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POLICY STATEMENT

Abandoned and unclaimed personal property of every kind that is not being held as evidence to be used in a pending criminal case will be disposed of as outlined in this policy.

RATIONALE

U.T. System is authorized to promulgate rules and regulations for the disposition of abandoned and unclaimed property under Texas Education Code Section 51.213. These rules provide procedures for the disposition of abandoned personal property coming into the possession of UT System and its institutions.

SCOPE

All Institutions and UT System Administration

WEBSITE ADDRESS FOR THIS POLICY

<http://www.utsystem.edu/policy/policies/uts162.html>

RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

UT System Administration Policies & Standards	Other Statutes, Policies & Standards
	<ul style="list-style-type: none"><li data-bbox="873 1661 1305 1759">• <i>Texas Transportation Code</i> Sections 683.001 – 683.078 – Abandoned Motor Vehicles<li data-bbox="873 1803 1305 1871">• <i>Texas Health and Safety Code</i> Section 483.074 – Seizure and

	<p>Destruction of Dangerous Drugs</p> <ul style="list-style-type: none"> • <i>Texas Health and Safety Code Sections 481.151</i> – Texas Controlled Substance Act Definitions • <i>Texas Health and Safety Code Sections 481.160</i> – Destruction of Excess Quantities of Controlled Substances • <i>Texas Property Code Subchapter B, Title 5, Sections 54.044 and 54.045</i> – Landlord’s Liens • <i>Texas Education Code Section 51.213</i> – Abandoned Personal Property
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CONTACTS

If you have any questions about UT System Administration policy UTS 162, *Disposal of Unclaimed Property*, contact the following office(s):

Subject	Office Name	Telephone Number	Email/URL
Abandoned Motor Vehicles	Office of the Director of Police	512-499-4682	POL@utsystem.edu

DEFINITIONS

None

RESPONSIBILITIES

Property Manager

- Disposes of abandoned and unclaimed personal property of every kind that is not being held as evidence to be used in a pending criminal case and has been in the custody of the Property Manager of any institution for a period of 60 days.
- Mails a notice to the last known address of the owner of such property.
- Publishes once in the campus student newspaper or once in a paper of general circulation in the county in which the institution is located, a notice containing a description of the property and contact information for the owner, if known.
- Deems property abandoned and sold at the announced date.

The Institution

- Uses proceeds of sales that remain unclaimed for student scholarships or other institutional purposes.

The Police Department

- Disposes of drugs in the manner prescribed by the *Texas Health and Safety Code* Section 483.074 (the Texas Dangerous Drugs Act), and by the *Texas Health and Safety Code* Sections 481.151 and 481.160 (the Texas Controlled Substances Act).
- Disposes of vehicles that are abandoned and unclaimed.

PROCEDURES

1.1 The Property Manager, designated by the president of an institution, shall mail a notice to the last known address of the owner of such property by first-class certified mail, return receipt requested, if the owner is known. If the Property Manager determines that the value of the property exceeds the anticipated cost of storage and sale of the property and if no owner's address is known or if the last known owner does not respond to the notice mailed to his or her last known address, then the Property Manager shall cause to be published once in the campus student newspaper or once in a paper of general circulation in the county in which the institution is located a notice as described below. The mailed and published notices shall contain a description of the property held; the name of the owner, if known; the name, telephone number, and address of the officer holding the property; and the location where the property can be inspected and redeemed. The published notice shall also state that the property, if unclaimed, will be sold at public sale and provide the date, time, and place of such sale.

1.2 All personal property that remains unclaimed at the expiration of 60 days from the date of publication in a newspaper of the notice required by Section 1.1 above shall be deemed to be abandoned and may be sold at the announced date.

1.3 The Property Manager shall sell the property that remains unclaimed to the highest bidder at the announced public sale. The Property Manager may decline the highest bid if he or she considers such bid insufficient and need not re-offer any property

for sale, if, in his or her opinion, the probable cost of sale is in excess of the value of the property. All proceeds of the sale shall be deposited into a fund designated for this purpose.

1.4 Any person claiming an interest in any property presumed abandoned and sold under the provisions of this Series shall be allowed to file a claim to such property with the Property Manager on forms and through procedures prescribed by the Property Manager; upon approval of such claim by the Property Manager, the owner may recover the proceeds of such sale after deduction of the reasonable expense of storage and sale of such property.

1.5 Proceeds of sales that remain unclaimed may be used by the institution for student scholarships or other institutional purposes.

1.6 Vehicles that are abandoned and unclaimed will be disposed of in accordance with *Texas Transportation Code* Sections 683.001 – 683.078.

1.7 Drugs in the possession of any institutional police department will be disposed of in the manner prescribed by the *Texas Health and Safety Code* Section 483.074 (the Texas Dangerous Drugs Act), and by the *Texas Health and Safety Code* Sections 481.151 and 481.160 (the Texas Controlled Substances Act).

1.8 The custody and disposition of property of tenants of dormitory rooms and other residential units of an institution shall be in accordance with *Texas Property Code* Subchapter B, Title 5, Sections 54.044 and 54.045.

FORMS AND TOOLS/ONLINE PROCESSES

None

APPENDIX

None

Keywords: unclaimed property, property
