

1. Title

Disposal of Abandoned and Unclaimed Property

2. Policy

Sec. 1 Authority. *Texas Education Code* Section 51.213, authorizes the Board of Regents of The University of Texas System (U. T. System) to promulgate rules and regulations for disposing of abandoned and unclaimed personal property that is in the possession of security personnel at U.T. System or its institutions.

Sec. 2 Purpose. This Policy will govern the procedures for disposing of abandoned and unclaimed personal property that is in the possession of security personnel at U. T. System or its institutions.

Sec. 3 Policy Statement. Abandoned and unclaimed personal property that is not being held as evidence in a pending criminal case must be disposed of as outlined in this Policy.

Sec. 4 Transfer to Property Manager. When security personnel come into possession of abandoned property, those personnel shall promptly turn over the property to the institution's Property Manager.

Sec. 5 Notice.

5.1 After receiving the property, the Property Manager shall mail a notice to the property owner by first-class certified mail, return receipt requested.

5.2 If the owner's address is not known or if the owner does not respond to the mailed notice within 20 days after its mailing, the Property Manager shall publish a notice once in the campus student newspaper, a paper of general circulation in the county in which the institution is located, a campus-wide newsletter, or online equivalent.

5.3 A notice issued under Sections 5.1 or 5.2 must describe:

- a. the property held;
- b. the name of the owner, if known;
- c. the name, telephone number, and address of the location where the property may be inspected and claimed; and
- d. the date, time and place at which the property will be offered for public sale if it remains unclaimed.

- Sec. 6 Time Limitation. If the property is not retrieved by its lawful owner within 60 days after the last notice is issued under Section 5, it shall be deemed unclaimed and sold or disposed of under the procedures in Section 7.
- Sec. 7 Sale or Disposal of Unclaimed Property.
- 7.1 If the value of the property, in the opinion of the Property Manager, exceeds its anticipated cost of storage and sale, the Property Manager shall sell it to the highest bidder at the public sale announced in Section 5.3d.
- 7.2 If the anticipated cost of storage and sale exceeds the property's value, the Property Manager may dispose of it in any other manner, unless prohibited by law.
- 7.3 The Property Manager shall deposit all proceeds from the sale of unclaimed property into a fund designated for this purpose.
- Sec. 8 Claims. Any person claiming an interest in property sold under Section 7 may file a claim with the Property Manager. A claim must be filed on forms and under procedures prescribed by the Property Manager. If the Property Manager approves the claim, the owner may recover the proceeds of the sale after the Property Manager deducts the reasonable expense of storing and selling the property.
- Sec. 9 Sale Proceeds. If proceeds from the sale of property under Section 7 remain unclaimed for two years after the sale, the institution may use the proceeds for institutional purposes.
- Sec. 10 Abandoned Vehicles. Vehicles that are abandoned and unclaimed shall be disposed of by the institution in accordance with *Texas Transportation Code* Sections 683.001 – 683.078.
- Sec. 11 Drugs. Drugs in the possession of the U. T. System Police shall be disposed of in accordance with *Texas Health and Safety Code* Section 483.074 and *Texas Health and Safety Code* Sections 481.151 and 481.160.
- Sec. 12 Dormitories and Residential Units. Property of tenants in an institution's dormitory rooms and other residential units shall be disposed of by the institution in accordance with *Texas Property Code* Sections 54.044 and 54.045.

3. Definitions

Security personnel - Commissioned peace officers and guards/public safety officers employed by U. T. System or U. T. System institutions.

4. Relevant Federal and State Statutes, Policies, and Standards

[Texas Transportation Code Chapter 683 Sections 683.001 – 683.078, Abandoned Motor Vehicles](#)

[Texas Health and Safety Code Chapter 483 Section 483.074, Seizure and Destruction of Dangerous Drugs](#)

[Texas Health and Safety Code Chapter 481 Section 481.151, Texas Controlled Substance Act Definitions](#)

[Texas Health and Safety Code Chapter 481 Section 481.160, Destruction of Excess Quantities of Controlled Substances](#)

[Texas Property Code Chapter 54 Section 54.044, Seizure of Property](#)

[Texas Property Code Chapter 54 Section 54.045, Sale of Property](#)

[Texas Education Code Section 51.213, Abandoned Personal Property](#)

5. Relevant System Policies, Procedures, and Forms

None

6. System Administration Office(s) Responsible for Policy

Office of Business Affairs

7. Dates Approved or Amended

December 19, 2004

July 24, 2007

November 19, 2012

February 11, 2014