

CITY OF ELK GROVE

UNCLAIMED PROPERTY POLICY

I. PURPOSE

The unclaimed property policy is intended to provide guidelines for taking possession of long standing unclaimed checks in accordance with California Government Code and to ensure the propriety of the related accounting transactions.

II. POLICY

It is the policy of the City of Elk Grove to properly account for unclaimed money in a manner that follows the California Government Code Sections 50050 through 50056. Unclaimed money consists of funds that are not the property of the City, but are held by the City for three (3) years or more without a claim being filed by the legal owner. Unclaimed money that remains unclaimed for at least three (3) years will become the property of the City after procedures identified herein have been followed.

SUMMARY OF STATE LAW / CALIFORNIA GOVERNMENT CODE 50050 – 50056

- A. Money that is not the property of the City of Elk Grove that remains unclaimed for a period of more than three (3) years is the property of the City of Elk Grove forty-five (45) days after initial public notice if not claimed or if no verified complaint is filed and served. (Section 50050 and Section 50051)
- B. Any time after the expiration of the three (3) year period, the Finance Director may cause a notice to be published once a week for two (2) successive weeks in a newspaper of general circulation published in the City of Elk Grove. (Section 50050)
- C. The Finance Director may release to the depositor of the unclaimed money, their heir, beneficiary, or duly appointed representative, unclaimed money if claimed prior to the date the money becomes the property of the City of Elk Grove upon submitting proof satisfactory to the Finance Director. (Section 50052.5)
- D. Any individual items of less than fifteen (15) dollars, or any amount if the depositor's name is unknown, which remain unclaimed for a period of one (1) year may be reclaimed by the City of Elk Grove without the necessity of public notification in a newspaper. (Section 50055)

III. PROCEDURE

CHECKS RETURNED AS UNDELIVERABLE

- A. Checks that are returned to the City of Elk Grove as undeliverable will be researched to determine the reason for the return. If the owner cannot be located, the returned check will be voided and funds transferred to accounts established for the purpose of holding unclaimed funds. (780-0000-229.16-00 for utility refunds and 780-0000-229.16-01 for non-utility refunds).
- B. At the start of each new fiscal year (July 1), all unclaimed amounts will be reviewed to determine those that had been issued more than three (3) years prior.
- C. The held funds in an amount of more than fifteen (15) dollars and an issue date older than three (3) years will be posted on the City's website for the next forty-five (45) days concurrent with the publishing of the notice in the newspaper. The notice will refer interested parties to the list and will state the amount of money, the fund in which it is held, claim instructions and that the funds will become the property of the City of Elk Grove on a designated date not less than forty-five days or more than sixty days after the first publication of the notice
- D. On a date no less than forty-five days after the first publication of the public notice, the City will reclaim the remaining funds by preparing a journal to transfer the funds back to the accounts of origin.