

COUNCIL/ADMINISTRATIVE POLICY

Subject: Unclaimed Money Policy	Policy No: 10-19	Adopted: September 28, 2010
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1. **PURPOSE**

The purpose of this policy is to establish guidelines to take possession of unclaimed checks issued, and unclaimed money held, by the City of Brentwood for over three years.

2. **POLICY**

2.1 **APPLICABILITY**

The provisions of this policy apply to unclaimed checks issued and unclaimed money held by the City over three years in accordance with California Government Code Sections 50050-50057.

3. **PROCEDURES**

3.1 **UNCLAIMED CHECKS UNDER \$15 OR DEPOSITOR'S NAME UNKNOWN**

Pursuant to this policy and California Government Code Section 50055, for any individual items less than fifteen dollars or any amount if the depositor's name is unknown (e.g. unclaimed money in the Police Department evidence room) the funds may be transferred to the General Fund by the City without the necessity of publication of a notice in a newspaper if the amount remains unclaimed for a period of one year.

It is the City's policy to stale date checks that have been outstanding over one year. Unclaimed checks less than fifteen dollars will be reviewed after checks have been reconciled for the month of March on a yearly basis. These funds shall then be deposited into the City's General Fund.

Unclaimed money in the evidence room shall be booked into the unclaimed funds in the Police Department evidence room's general ledger account. Finance and Information Systems Department staff will annually review those funds that have been on deposit for a time period of greater than one year and will transfer the funds to the City's General Fund, with authorization from the Director of Finance and Information Systems (City Treasurer).

3.2 **UNCLAIMED CHECKS OVER \$15**

Annually, after checks have been reconciled for the month of March, the Finance and Information Systems Department will review all outstanding unclaimed checks of fifteen dollars or greater to identify those that have been issued or held in custody for more than three years.

3.2.1 **Public Notice**

The unclaimed funds with an issue or custody date older than three years will become part of a notice, approved to form by the City Attorney, to be published once a week for two successive weeks in a newspaper of general circulation.

3.2.1.1 This notice shall include the following information:

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- 3.2.1.1.1 The individual or business name as shown on the issued check or unclaimed funds.
- 3.2.1.1.2 The amount on the issued check or the amount of unclaimed money.
- 3.2.1.1.3 The fund in which it is held.
- 3.2.1.1.4 A statement announcing that the money shall become the property of the City of Brentwood on a date that is not less than forty-five days nor more than sixty days after the first publication of the notice.

3.2.1.2 A proof of publication from the newspaper is to be retained pursuant to the City's record retention policy as verification that the notice was placed in the publication and ran for two consecutive weeks.

3.3 **DISBURSEMENT AND FUNDS TRANSFER**

The Director of Finance and Information Systems may release the unclaimed money to the person the original check was issued to, their heir, beneficiary, or duly appointed representative, except as otherwise noted in this policy, if:

- 3.3.1 An Unclaimed Money Form is filed prior to the date the money becomes the property of the City.
- 3.3.2 Proof substantiating the claim is conveyed in writing. Information requested on the form may include the following:
 - 3.3.2.1 The claimant's name, address, and telephone number.
 - 3.3.2.2 Social Security Number or Federal Employer Identification Number.
 - 3.3.2.3 Proof of identity such as a copy of a driver's license, Social Security card, birth certificate, or passport.
 - 3.3.2.4 The amount of the claim.
 - 3.3.2.5 The grounds on which the claim is founded.
- 3.3.3 After proper documentation is secured and the claim is approved by the Director of Finance and Information Systems, Finance staff shall prepare

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a check request to Accounts Payable to release the money based upon the approved Unclaimed Money Form.

- 3.3.3.1 The Unclaimed Money Form may be rejected if proper documentation is not secured and unless the determination is appealed, the money will revert to the City after 45 days.
- 3.3.4 If the claim is rejected by the Director of Finance and Information Systems, pursuant to this policy and California Government Code Section 50052, the claimant may file a complaint seeking to recover all, or a designated part, of the money in a court within Contra Costa County within 30 days of receiving notice that the claim was rejected.
- 3.3.5 Pursuant to this policy and California Government Code Section 50051, upon close of business on the forty-fifth day after publication of the first notice, the unclaimed money that was noticed will revert to the City.
- 3.3.6 When the unclaimed money becomes the property of the City, the Director of Finance and Information Systems may transfer the amounts into the General Fund pursuant to this policy and California Government Code Section 50053.