

# Notice of storage of (valuable) abandoned property (and/or personal documents)

*Residential Parks Act 2007*

## Form I – For use by park owner

<b>Resident's name</b>	See note 1 on page 3
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<b>Resident's forwarding address</b>	
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**Abandoned (valuable) items have been left at the rented property.**

<b>Address of rented property</b>	
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**The abandoned (valuable) items are:**

*(if insufficient space, attach a separate sheet)*

Note: Perishable foodstuffs and goods of a value that is less than a fair estimate of the cost of their removal, storage and sale may be removed and destroyed or disposed of under section 92(2) & (4) of the Act and need not be included in this notice.

For details of a park owner's responsibility in regard to dealing with abandoned personal documents, please see page 3 of this form.



You may reclaim the goods on or before: *(insert date)*      /      /

(This date is 28/60 days after the day on which I removed and stored the goods - see note 2 on page 3.)

If you have not reclaimed the goods by this date, they will be sold by public auction. I will keep, from the proceeds of the sale, various costs and amounts owed to me (see note 3 on page 3).

<b>Park owner or operator's contact details</b>	Name:	
	Telephone	Mobile
	Email	

<b>Signature of the park owner or their representative</b>	
Signature:	
Date:	/      /

## General information

If a dispute arises between a park owner and a resident regarding valuable abandoned property you may apply to the South Australian Civil & Administrative Tribunal (SACAT) for a determination and order. However, please seek assistance from Consumer and Business Services before lodging an application with SACAT.

## Information for the resident

The (valuable) abandoned property has been stored in a safe place and manner. If you are entitled to possession of the abandoned property, you can reclaim it by paying to the park owner:

- (a) the reasonable costs of keeping the property safe (which may include removal and storage costs); and
- (b) any other reasonable costs incurred as a result of the property being left at the rented property.

**Information for the park owner**

(1) This notice must be sent to –

- (a) the resident's forwarding address; and/or
- (b) any person who has, to your knowledge, an interest in the goods and the person's name and address are known to you, or are reasonably ascertainable by you.

If you do not have a forwarding address for the resident, a notice must be published in a newspaper circulating generally throughout the State (see item 4 below).

(2) If the abandoned property is a dwelling, it must be stored for 60 days. However, you must not take any action to deal with an abandoned dwelling unless SACAT has made an order for vacant possession of the site.

(3) Section 92(9) of the Act states:

“On the sale of the property by public auction, the park owner—

(a) may retain out of the proceeds of sale—

- (i) the reasonable costs incurred by the park owner in dealing with the property in accordance with this Division and any other reasonable costs incurred by the park owner as a result of the property being left on the site, and
- (ii) any amounts owed to the park owner under the residential park agreement, and

(b) must pay the balance (if any) to the owner of the property, or if the identity and address of the owner are not known to, or reasonably ascertainable by, the park owner, to the Commissioner for the credit of the Fund.”

(4) If the abandoned property includes personal documents you must take reasonable steps to keep the documents safe for at least 28 days. If you have a forwarding address for the resident, you must give them a copy of this notice. If the abandoned property consists solely of personal documents, you are not required to publish this notice in the newspaper if you do not have a forwarding address for the resident. You can destroy/dispose of personal documents not reclaimed by the resident within 28 days.