Personal Property Storing Procedures

When personal property of the debtor is inventoried and stored the PPCM shall immediately provide office staff with documentation at which time office staff shall adhere to the following procedures for notification to the debtor, releasing the personal property back to the debtor or his/her lawful representative and maintaining personal property records. Due to the critical importance of the proper handling of personal property there should be one office employee appointed by the recovery agency owner to be responsible for this procedure.

1. If prescription drugs are found during the inventorying, the office designee should make every effort to contact the debtor for immediate return of these items. These items should be released to the debtor or their lawful representative separate from any remaining personal property.

2. If firearms, contraband, illegal drugs or items that the PPCM suspects may be stolen property are found during inventory, the PPCM shall notify office designee and designee shall immediately notify law enforcement.

3. Within five (5) days after the repossession, the appointed employee shall give written notification to the debtor as to the procedure for redeeming personal effects or other property inventoried. In providing the debtor with instructions for redeeming personal effects, these instructions should never contain the physical address where the property is stored. The instructions should provide only the telephone number. Directions to the physical location should be provided to the debtor on the day the debtor is scheduled to redeem the property.

 4. If the debtor has not come forward to claim personal effects, at least forty-five (45) days prior to disposing of debtor’s personal effects or other personal property, the recovery agency shall, by United States Postal Service “Proof of Mailing” or certified mail, notify the debtor of the intent to dispose of said property. Should the debtor, or his/her lawful designee appear to retrieve the personal property, the personal property shall be surrendered to that individual upon payment of any reasonably incurred expenses for inventory and storage and by that individual signing the Contract For Storage and/or Services (Forms Section 13). By signing the Contract for Storage and/or Services, the debtor or assignee has created a contract with your recovery agency and thus has eliminated the agency as a third party debtor collector as defined in the FDCPA. If the personal property is not claimed within forty-five (45) days of the notice of intent to dispose, local or state law notwithstanding, the personal property may be disposed of at the discretion of the recovery agency owner.

5. It should be noted that the notice which is sent within five (5) days of the repossession does not require any proof of mailing. The proof of mailing procedure refers to the forty-five (45) days prior to disposal of the property. Of course, the proof of mailing notification can be used within the first five (5) days and no further notification is required.

6. The reason for the regular five (5) day mailing is to hopefully, avoid the cost of certified mail or proof of mailing.

Anything which contains N.P.P.I. is shredded or destroyed.

When documents containing Personally Identifiable Information are discarded, they shall be immediately shredded using a mechanical cross-cut shredding device approved by the Department of Defense.

When disposing of computers and portable storage devices a disk wiping utility program approved by the Department of Defense shall be used.

Any CD-ROM, DVD-ROM, floppy disk or flash drive shall be

disposed of by shredding, incinerating or punching holes in the device.

Destruction of N.P.P.I. is monitored by the Data Security Officer.

Anything else that does not contain N.P.P.I. will be disposed of in the dumpster.

License plates are stored in bins along with the debtor’s belongings.

If the debtor does not retrieve his/her license plate within 90 days, the license plate is stored in a separate bin along with other abandoned license plates. The abandoned license plates are turned into the state monthly.