

# INSTRUCTIONS FOR NOTICE OF ABANDONED PROPERTY IN WYOMING

Read these instructions carefully.

You can use this form if a renter moved away from the house or apartment and the land associated with the unit you own and left their things behind.

## **Before You Get Started**

It can be helpful to keep in mind that the word “property” has different meanings when it is used in laws. The house, apartment, or land you own is “real property.” The items that the renter left behind are “personal property.”

The personal property that was left behind is called “abandoned.”

## **The top of the page on the Notice of Abandoned Property.**

On the line labelled “To” write the name of the person who owns the things that were left behind. On the line labelled “Address” write the full address where that person lives or works.

Important Note: If more than one adult was renting from you, you do not need to know which items belongs to which person. You can prepare a separate Notice of Abandoned Property for each adult by changing the name and address at the top. You do not have to change what you write on the rest of the form.

On the line labelled “From” write your name or the name of the company that owns the house, apartment, or associated land. On the line labelled “Address” write the full address for you or the company.

## **After the Title.**

The Notice has its title printed between two long lines.

The first sentence names the statute (law) that is used for this Notice. In that sentence, you will write the address of the rental where the items were left behind.

The next sentence is information for you and for the people who left their items. The law says you might be able to get rid of the abandoned things right away. If you are preparing a Notice of Abandoned Property, you are giving the former renters (the people who left their belongings) a chance to get their things. It can be kind to give them a chance, and it can save you from needing to get rid of the things yourself.

Next, there are long blank lines where you will write a description of the abandoned

property. It is important to give enough detail to be helpful, but you do not need to list every item. For example, if the former renters left their belongings in the kitchen cupboards, you might write “dishes and pots” but you do not need to write “six plates, two bowls” and so on.

After the blank lines, there are three sentences that explain the choices the former renters have. These are the choices that are included in the statute. Do not change what is written here. It is important for you to read and understand the choices the former renters have.

The next section is about storing the abandoned personal property. The statute gives you several choices.

- You can move the items to a storage facility. If you do this, you are allowed to charge the former renters for the cost of moving their belongings and the amount you pay to store them.
- You can move the items to someplace where you will store them yourself. If you do this, you are allowed to charge the former renters for the cost of moving their belongings and a reasonable amount for storing them.
- You can leave the items where they are. If you do this, you are allowed to charge the former renters a reasonable amount for storing their things.

Carefully calculate how much the former renters owe you for moving and storing their belongings. Write that amount on the blank line after the dollar sign (\$). Important Note: You are not required to charge the former renters for moving or storage. If you choose, you can write 0 on the blank line.

On the next line, write the address where the abandoned property is being stored. The next line is for “additional information.” On these blank lines you can write instructions for the former renters. Some examples are the business hours for the storage facility or a phone number they should call before they go collect their items.

### **The Signature Section.**

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line. By signing the form, you are saying that everything you wrote on the form is true. Review your answers carefully before you sign the form.

Print your name, and write in your phone number, mailing address, and email address.

### **Serving the Notice of Abandoned Property**

You must serve the Notice to the former renters. This means you must give them a copy of the Notice. You can do this in person (which is called delivering it by hand) or you can publish it in a local newspaper or you can mail it using certified mail.

After you serve the Notice of Abandoned Property, you will fill out the Certificate of Service. Write in:

- The date when you delivered or mailed the Notice to the former renters OR the date when the Notice was published in the newspaper.
- The information about how and where you served the Notice. (Use the checkboxes and the blank lines.)

Sign the Certificate of Service. Then print your name and the date when you signed it.

### **Filing the Notice and the Certificate of Service**

If you already have an existing court case against the former renters, file a copy of the *Notice of Abandoned Property* and the *Certificate of Service* with the Clerk of Court.

If you do not have a court case against the former renters, do not file these documents with the Clerk. It is a good idea to keep copies of the documents for your own records.

### **Important Things You Need to Know**

#### When can I get rid of their things?

This will depend on the situation. You can carefully read this statute to find out more information for your situation.

Wyoming Statute 1-21-1210. Possession of premises and disposition of personal property abandoned by renter after termination of rental agreement.

(a) Upon regaining lawful possession of the rental unit following termination of the rental agreement, the owner may immediately dispose of any trash or property the owner reasonably believes to be hazardous, perishable or valueless and abandoned. Any property remaining within the rental unit after termination of the rental agreement shall be presumed to be both valueless and abandoned. Any valuable property may be removed from the residential rental unit and shall thereafter be disposed of as follows:

(i) The owner shall provide written notice to the renter in accordance with this paragraph, describing the property claimed to be abandoned and stating that the property shall be disposed of after seven (7) days from the date of service of the notice if the renter or his agent does not, within the seven (7) day period, take possession of the property or notify the owner in writing of the renter's intent to take possession of the property. The notice provided by the owner under this paragraph shall be deemed served:

(A) On the date the notice is mailed by certified mail to the renter at an address furnished to the owner by the renter in writing specifically for this purpose;

(B) On the date notice is served on the renter in accordance with Rule 4 of the Wyoming Rules of Civil Procedure provided a copy of the written notice is delivered to the individual renter personally; or

- (C) On the date the notice is published in a newspaper published in the county or widely circulated in the county where the residential rental unit is located.
- (ii) If the owner does not receive a written response from the renter within seven (7) days after service of notice under paragraph (i) of this subsection, the property shall be conclusively deemed abandoned and the owner may retain or dispose of the property;
- (iii) If the renter responds in writing to the owner on or before seven (7) days after service of notice under paragraph (i) of this subsection that he intends to take possession of the property, the property shall be held for an additional period of seven (7) days after the written response is received. If the renter fails to take possession of the property within the additional fifteen (15) day period, the property shall be conclusively deemed abandoned and the owner may retain or dispose of the property.
- (b) The owner is entitled to payment of storage costs for the period the property remains in safekeeping plus the cost of removal of the property to the place of storage. An owner shall be allowed reasonable storage costs if he stores the property himself or actual storage costs if the property is stored commercially. Payment of storage costs shall be made before the renter removes the property.
- (c) The owner is not responsible for any loss to the renter resulting from storage.

#### Who can help me with these forms?

It is important for you to know that Court Clerks are not allowed to help you fill out these forms. Here are some free resources that can help:

- Legal Aid of Wyoming Hotline. This Hotline gives you an opportunity to talk with a lawyer. 1-877-432-9955. This service is for people who have limited income and limited assets.
- Wyoming Free Legal Answers. This website gives you a chance to privately ask questions about your situation and then receive answers from a lawyer. <https://wyoming.freelegalanswers.org/> This service is for people who have limited income and limited assets. The volunteer lawyers on the website cannot assist with business matters, which includes owning or managing rental properties.
- Volunteer Reference Attorney Program. This program lets you have a short informational meeting with a lawyer. You can learn about the locations and dates by checking the calendar on the Equal Justice Wyoming website. This service is for people who have limited income and limited assets. Volunteer Reference Attorneys cannot assist with business matters, which includes owning or managing rental properties.
- Natrona County Court Navigator Program. If your case is in Natrona County, you can get help from a trained Court Navigator. Visit the Court Navigator page on the Wyoming Judicial Branch website to learn more.

If you do not qualify for the free services above, you can contact the Wyoming State Bar at 307-632-9061 for referral to Wyoming lawyers. (Those lawyers charge for their services.)