

NOTICE OF BELIEF OF ABANDONMENT

Residential or Commercial Property

NOTE: This form is used by a commercial property manager or landlord when rent has been due and unpaid for 14 consecutive days or more and the landlord believes the tenant has vacated the leased premises and left personal property, to commence the landlord-initiated personal property disposition process and advise the tenant of their right to reclaim or abandon it.

DATE: _____, 20_____, at _____, California,

To Tenant: _____

Items left blank or unchecked are not applicable.

FACTS:

1. You are a Tenant under the rental or lease agreement
 - 1.1 dated _____, 20_____, at _____, California,
 - 1.2 entered into by _____, as the Tenant,
 - 1.3 and _____, as the Landlord,
 - 1.4 regarding real estate referred to as _____.

YOU ARE HEREBY INFORMED:

Rent on the leased real estate has been due and unpaid for 14 consecutive days or more, **AND** Landlord believes you have abandoned the property. Personal property remains on the premises as described in Section 6.

NOTICE:

2. This notice expires unless you respond by _____, 20_____, which date is at least 15 days after this notice was personally served, or 18 days after this notice was sent by first class mail, postage prepaid, or emailed.
3. On expiration of this notice, the real estate will be considered abandoned, your right to possession terminated, and all remaining personal property will be disposed of under Section 8 below.
 - 3.1 Landlord reserves the right to collect future rent losses allowed by California Civil Code §1951.2.
4. **YOU MAY AVOID THIS NOTICE**, if before it expires and at the address below, Landlord receives your written notice stating:
 - 4.1 Your intent not to abandon the real estate, **AND**
 - 4.2 An address where you may be served by certified mail in any action for unlawful detainer of the real property.
5. **YOU MAY AVOID DISPOSAL OF PERSONAL PROPERTY** by doing the following before expiration of this notice:
 - 5.1 Pay the reasonable cost of removal and storage of all the personal property [See **RPI Form 582-1**]; **AND**
 - 5.2 Take possession of the personal property.
6. You may minimize the cost of storage if you claim your personal property by: _____.
7. You may claim the personal property at _____.
8. **The personal property to be claimed or disposed of is valued as:**
 - 8.1 Worth more than \$700. If you fail to reclaim the property, it will be sold at a public sale after published notice of the sale. You have the right to bid on the property at this sale. After the property is sold and the cost of storage, advertising and sale are deducted, the remaining money will be handed to the county. You may claim the remaining money within one year after the county receives the money.
 - 8.2 Worth less than \$700. This property is believed to be worth less than \$700. Therefore, it may be kept, sold or destroyed without further notice if you fail to reclaim it prior to expiration of this notice. [Calif. CC §1988]
9. You are required by agreement to pay past due rent. Failure to pay can lead to court proceedings against you.

Date: _____, 20_____

Landlord/Agent: _____

Signature: _____

Address: _____

Phone: _____ Fax: _____