

# REPORTING BOOKLET

Report Forms and Instructions



This manual includes the required forms and instructions for managing property deemed unclaimed in accordance with state law.

# Highlights

#### **Address Change**

State of Washington Department of Revenue Unclaimed Property Section P.O. Box 34053 Seattle WA 98124-1053

#### **Courier Delivery**

2500 EValley Rd Suite C Renton WA 985055

NOTE: Please request AM delivery on all courier deliveries.

#### Holder Email Service

Holders are encouraged to sign up for our holder email service for reporting updates and reminders. You can register for this free service on our web site at ucp.dor.wa.gov.

#### Negative (Zero) Reporting

You may now file your negative reports online using our new online reporting system.



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# What is Unclaimed Property?

Unclaimed Property is money or intangible property owed to an individual or business. Property is considered unclaimed after it is held for a period of time with no owner contact, and a good faith effort has been made to locate the owner. Abandoned property is turned over to the Department of Revenue from many sources, including banks, credit unions, corporations, utilities, insurance companies, governmental entities, and retailers throughout the United States.

# Uniform Unclaimed Property Act of 1983

The Washington Unclaimed Property Act protects unclaimed property until it is returned to its rightful owner or their heir. The Department of Revenue acts as custodian for safe keeping of the property until the rightful owner can be located. Once reported to the Department, abandoned property is available for refund to the owner or legal claimant indefinitely.

Washington State law requires businesses and other organizations (commonly referred to as "HOLDERS") to review their records each year to determine whether they hold any funds, securities or other property that has been unclaimed for the required abandonment period. Holders file an annual report and deliver the property to the state. The length of time property must be abandoned before being turned over to the state varies by the type of property (see page 25).

# Who Must Report?

# The following entities are required to report unclaimed property:

- Banking and financial organizations, including state or federally chartered banks in trust companies, savings banks, private bankers, savings and loan associations, credit unions, and investment companies.
- Business associations wherever located, such as a corporation, joint stock company, business trust, partnership, cooperative or other association of two or more individuals for business purposes, whether or not for profit (including all insurance companies).
- Utilities owned or operated for public use.
- Legal entities including state, county, and city governments, political subdivisions, public authorities, public corporations, estates, and trusts.

All holders are responsible for filing reports on behalf of their branches, divisions or other affiliated entities

## When to File

# Reports and remittance are due from ALL holders before November 1 of each year.

The report must include all property that has gone unclaimed for the required dormancy period, as of the preceding June 30 (see page 25). The only exception is safe deposit box contents. You must first send the report showing a complete inventory of the property and list any unpaid charges. You will be notified in writing when to deliver the contents.

If you are unable to submit your report by the November I due date, you may request an extension. Your request must be in writing and you must state the reason the extension is needed.

Interest may be charged on all property not reported or delivered timely as required by law. This interest may be charged even if the property is interest bearing for the lost owner. Interest is calculated from the due date to the date payment is received by the Unclaimed Property office.

Organizations with nothing to report that have filed in the past should file a negative (zero) report.

Unclaimed Property Reporting Booklet

# Due Diligence

For items over \$75, written notices must be sent to owners between May I and August I. The letters, often called "due diligence letters," only need to be sent to owners who have valid addresses. The letter is intended to inform owners that there is property being held for them which may be turned over to the Washington State Department of Revenue's Unclaimed Property Section due to inactivity. A sample due diligence letter is included on page 29.



# **General Reporting Instructions**

Aggregate Amount	\$50
Report and Remittance due date	November I
Electronic Reports	NAUPA format on diskette, CD or via the internet
Mailing Address	State of Washington Department of Revenue Unclaimed Property Section PO Box 34053 Seattle, WA 98124-1053
Street Address	State of Washington Department of Revenue Unclaimed Property Section 2500 E Valley Rd Suite C Renton WA 98055 Courier deliveries only ask for AM delivery
Make checks payable to:	State of Washington Unclaimed Property (include FEIN or Holder Number on check)
Stock and bond registration	State of Washington FEIN: 91-6001118 or by DTC to #0201 for credit to account #59027603
Due Diligence	Letter sent for property with a value over \$75 and sent between May I and August I
Negative reports	Required for all holders who have filed reports in the past
Voluntary Disclosure	Participants must apply in writing

Holders may send their electronic reports in the NAUPA format for electronic reporting. The accepted media are online, diskette, or compact disc (CD).

## **Electronic Reporting**

Holders may send their electronic reports in the NAUPA format for electronic reporting. The accepted media are online, diskette or compact disc (CD).

**NEW:** To send your report to our office via the Internet go to http://ucp.dor. wa. gov. Click on "Report it" and look for the "Electronic reporting" link.

#### HRS-Pro Software

You may download free reporting software at www. wagers. net.

NOTE: Any diskette or CD must include an external label with the preparer's name, telephone number and federal identification numbers for all companies being reported. The label must also include the holder number(s) included on the diskette or CD.

# Instructions for Completing Summary Report for Unclaimed Property Form (Rev 80 0004-1)

## Complete "Detail Report" before filling out this form.

Shaded areas are for Department use only.

#### Holder, Name and Address

Enter business name and address. This address will be used for future reports or correspondence regarding unclaimed property.

#### Washington Holder Number

Enter your holder number. For first time reporters, leave blank. A holder number will be assigned.

#### Federal ID Number (FEIN)

Enter your nine digit FEIN. (xx-xxxxxx)

#### Current Year

Enter the current year.

#### Date and State of Incorporation

Enter your date and state of incorporation.

# Unified Business Identifier (UBI) Number (xxx-xxx-xxx)

Enter your nine digit Washington State UBI, if known.

#### **Primary Business Activity**

Briefly describe your primary business activity.

#### **Contact Person**

Enter the name, telephone number, and email address of contact person.

#### Inactive Account

We do not have property to report for this year and do not expect to report in the near future.

#### Close Account

Check this box if your company has closed or merged with another company.

#### Summary of Property Reported

Get this information from your "Detail Report." Combine each property by category code (see page 28\*) http://dor.wa.gov/docs/pubs/ucp/Category.pdf and enter the totals.

#### Send report(s) and payment to:

State of Washington Unclaimed Property.

#### Report Declaration

The report must be signed by an authorized individual.

#### How to Transfer Securities

Securities must be registered in the name "State of Washington, Department of Revenue," tax identification number 91-6001118. Certificates must be mailed with the report. Mutual funds and dividend reinvestment plans should be transferred into the state's name and a confirmation sent with the report.

#### **DTC** Information

A DTC transfer may be made by depositing shares to DTC #0201 for credit to account #59027603. When making a DTC transfer, send a list of the securities by email to ucp@dor.wa.gov or fax at (360) 586-2163.

\*Online Property Category Code Table available at http://dor.wa.gov/docs/pubs/ucp/Category.pdf.



# **Summary Report** for Unclaimed Property

(360) 705-6706			·opoity	
Please print clearly and us	e black ink only	Report and Paymen	t Due by Nove	ember 1
☐ Address change		Washington Holder Numb	per	
Business Name:		Federal ID Number	Report Year	Sequence Number
Attn or in care of:		Date & State of Incorpora	ation UBI	Number
Mailing Address:				
ity State 7in:		Primary Business Activity		
nty, State, Zip.			Date Receive	ed (office use only)
		Contact Person:		
		Name		( ) Telephone Number
		E-mail		
Close Account:	•	the future. siness is closing or is closed.		
Category Code	Amount	Category Code	)	Amount
	\$		\$	
	\$		\$	
	\$		\$	
	\$		\$	
	\$	Safe Deposit Boxes	#	
Certificate No./DTC	CUSIP No.	Symbol		Share Quantity
				Total Names
Signature				
Title				Total Shares
Date				
LING ADDRESS: Depart	tment of Revenue			Total Cash

For assistance visit ucp.dor.wa.gov or call (360) 705-6706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users may call 1-800-451-7985.

REV 80 0004-1 (06/24/08)

**Unclaimed Property Section** 

Seattle, WA 98124-1053

PO Box 34053

\$



# **Negative Report** for Unclaimed Property

Please print clearly and u	se black ink only	Report and Paymer	nt Due by No	ovember 1
	-	Washington Holder Num	nber	
☐ Address change		E I I I I D N I I I	D 174	O N I
Business Name:		Federal ID Number	Report Yea	ar Sequence Number
Attn or in care of:		Date & State of Incorpor	ration l	JBI Number
Mailing Address:				
		Primary Business Activit	ty	
City, State, Zip:			Date Rece	eived (office use only)
		Contact Person:		( )
		Name		
		 E-mail		_
No Property to Report:	•	not have any property to repor	•	
Inactive Account:		not anticipate having property		OTE: You will need to
Close Account:	request report forms, if you need to report in the future.  Check here if your business is closing or is closed.			
Close Account.	Check here if your bus	siness is closing or is closed.		
Signature	Title		Date	
		PORT INSTRUCTIONS		
Shaded are for the Departm				
Holder Reporting Number, N correspondence regarding un		ness name and address. This ac	ddress will be u	ised for future reports or
Name and Address Change		Idress above. Attach a list of sub	sidiaries that a	re reporting under the
same holder name.		or Cont. Control or an analysis of the second bloods	A la alala a conse	de anno 190 de anno activida de
•	•	or first time reporters, leave blank	. A noider num	iber will be assigned.
Federal ID Number (FEIN): E	, ,			
Current Year: Enter the curre	•			
	tion: Enter your date and state			
	(UBI): Enter your Washington S			
	Briefly describe your primary bu			
	ame, telephone number, and e-r	•		
	ck this box if you have nothing to		the file of the	
		year and do not expect to report		ure.
		or merged with another company		
<b>Report Declaration:</b> This rep	ort must be signed by an author	rizeg individual.		

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### Instructions for Completing

## The Detail Report for Unclaimed Property

## Form (Rev 80 0008)

The Detail Report for Unclaimed Property is used to report individual abandoned items. Abandoned items are defined in the Uniform Unclaimed Property Act RCW 63.29.

Owner name(s) and reported address are published on our web site. All other information is confidential. We do not disclose social security number, federal employer identification number, and date of birth.

#### Holder Name

Enter business name.

#### Report Year

Enter the report year.

#### Holder Number

Enter your holder number. For first time reporters, leave blank. A holder number will be assigned.

#### Owner Information

Enter all information for each owner. If unknown, leave blank.

#### Last Name

Enter owner's last name or full business name.

#### First Name

Enter owner's first name.

#### Middle Initial

Enter owner's middle initial.

#### Relation to First Owner

If reporting more than one owner for the property, enter the relationship (for example: and, or, trustee for, custodian, etc).

#### Title

MD, Mr., Mrs., Jr, or Sr.

#### Date of Birth

Enter owner's date of birth.

#### SSN/FEIN

Enter owner's social security number or Federal Employer Identification Number (FEIN).

#### Secondary Owner Information

If there is more than one property owner, enter their information in the secondary owner fields.

#### Owner Address

Enter the last known address even if you know the address is invalid (information is used to identify the proper owner when a claim is received).

#### City

Enter the city.

#### State

Enter the state.

#### Zip Code

Enter the zip code.

#### **Property Information**

#### Monetary Property

Enter the following information for the monetary amount being reported:

#### Category Code

Enter the property category code. Refer to the Property Category Code Table on page 28.

#### Original Amount

Enter the amount due before any deductions.

#### **Deduction Amount**

Enter the deduction amount.

#### **Deduction Types**

- Service charge
- Interest deducted or discontinued
- Dividends deducted or discontinued

#### Interest Rate

If the property reported is interest-bearing, enter the interest rate. The

Department will continue to pay the reported rate of interest for up to 10 years.

#### **Securities**

#### Worthless/Nontransferable Securities

Do not report worthless or nontransferable securities. If they do become transferable or gain value, report and remit the shares to our office at that time. You will not be penalized for late reporting in these situations. If you are reporting securities from a safe deposit box, use the Safe Deposit Box Report Form.

Enter the following information for the securities being reported:

**Category Code:** Enter the property category code.

**CUSIP:** Enter the CUSIP number for the securities being reported.

**Number of Shares:** Enter the number of shares being reported.

#### Municipal Reporting

If the property is being retained as allowed in RCW 63.29.190, check the box labeled

#### **Property Retained**

NOTE: Restitution funds are sent to the state treasurer and are not considered unclaimed property.

**ID Number 1:** Enter the check number or account number, etc.

**ID Number 2:** Enter any other identifying number(s).

#### Last Activity Date

Enter the last activity date. For example, last deposit or withdrawal date, check or draft issue date, or the last documented communication.

#### Page

Enter the page number.

#### **Page Totals**

Enter total amount for this page.

#### **Grand Total**

Add each page total and enter amount on the last page.



#### **Detail Report for Unclaimed Property**

Holder Name				Report Yes	ar		
Holder Number							
Primary Owner Last Name		First Name			Middle Initial	Relatio	n to 1st owner:
Title	Date of	f Birth		SSN/FEIN			
Complete Secondary Owner Informat	ion If There Is More Th	an One Owner For Th	is Property				
Secondary Owner Last Name		First Name				Middle	Initial
Title	Date o	f Birth		SSN/FEIN		Relations	hip to Primary
Owner Address			City			State	Zip
Monetary Category Code ————————————————————————————————————			Categ CUSII Numb	urities gory Code P per of Shares _ operty Retaine			
Primary Owner Last Name	ID Numbe	ty Date				Relatio	n to 1st owner:
Title	Date o	f Birth		SSN/FEIN			
Complete Secondary Owner Informat	ion If There Is More Th	an One Owner For Th	is Property				
Secondary Owner Last Name		First Name				Middle	Initial
Title	Date o	f Birth		SSN/FEIN		Relations	hip to Primary
Owner Address			City			State	Zip
Monetary Category Code — — — — — — — — — — — — — — — — — — —			Categ CUSII Numb	urities gory Code P per of Shares operty Retained	ed (Municipa		
	ID Numbe	r r ty Date					
	Page	_ of	]	Page To	tal \$		
	Grand Tota	al \$					

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## Instructions for Completing Aggregate and Unknown Report Form (Rev 80 005 I)

#### Holder Name

Enter the Holder Name.

#### Report Year

Enter the report year.

#### Holder Number

Enter your holder number. For first time reporters, leave blank. A holder number will be assigned.

#### AGGREGATES (AGG)

Items with a value of less than \$50 may be reported in an aggregate. If the owners have addresses in other states, the owners should be combined by property type and then by state of last known address. Items valued at more than \$50, with no owner name or other identifying information, should also be included in the aggregates. Check the AGG box and complete the information regarding that aggregate.

**CAT Code:** Enter the Category Code that best describes the type of property being reported in the aggregate.

**ORIG AMT:** Enter the original amount prior to any deductions.

**DED Type:** Indicate the type of deduction taken:

- Service charge deducted
- Interest deducted or discontinued
- Dividends deducted or discontinued

INT Rate: If the property reported is interest bearing, enter the interest rate. The Department will continue to pay the reported rate of interest for up to 10 years.

**ST:** If the owners in the aggregate have a last known address in another state, enter that state's abbreviation.

#### Unknown Owners

For items that have no owner associated with them and the value is more than \$50, the items should be reported individually. If the item has no identifying number (check number, account number, etc.), the item should be reported in an aggregate. Check the UNK box and complete the information regarding the unknown owner.

**CAT Code:** Enter the Category Code that best describes the type of property being reported as an unknown owner.

#### Property ID1 & Property ID2

Enter the identifying check number, account number of other account information in these fields.

**LST ACTVY:** Enter the last activity date of the item.

**ORIG AMT:** Enter the original amount prior to any deductions.

**DED AMT:** Enter the amount of the deduction.

**DED Type:** Indicate the type of deduction taken:

- Service charge deducted
- Interest deducted or discontinued
- Dividends deducted or discontinued

**INT Rate:** If the property reported is interest bearing, enter the interest rate. The Department will continue to pay the reported rate of interest for up to 10 years.

**ST:** If the owners in the unknown (UNK) have a last known address in another state, enter that state's abbreviation.



## **Aggregate & Unknown Owner Report for Unclaimed Property**

Holder Name _	•					
Holder Number	r					
□AGG	Cat Code	Property ID 1	Property ID 2	Lst Ac	ctvy	Orig Amt
□UNK						
D	ed Amt		Ded Type		Int Rate	e St
□AGG	Cat Code	Property ID 1	Property ID 2	Lst Ac	tvy	Orig Amt
□UNK						
D	ed Amt		Ded Type		Int Rate	e St
□AGG	Cat Code	Property ID 1	Property ID 2	Lst Ac	tvy	Orig Amt
□UNK						
D	ed Amt		Ded Type		Int Rate	e St
□AGG	Cat Code	Property ID 1	Property ID 2	Lst Ac	tvy	Orig Amt
□UNK						
D	ed Amt		Ded Type		Int Rate	e St
□AGG	Cat Code	Property ID 1	Property ID 2	Lst Ac	tvy	Orig Amt
□UNK						
D	ed Amt		Ded Type		Int Rate	e St
□AGG	Cat Code	Property ID 1	Property ID 2	Lst Ac	tvy	Orig Amt
□UNK						
D	ed Amt		Ded Type		Int Rate	e St
□AGG	Cat Code	Property ID 1	Property ID 2	Lst Ac	ctvy	Orig Amt
□UNK						
	ed Amt		Ded Type		Int Rate	e St

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REV 80 0051 (06/30/08)

# Instructions for Completing Safe Deposit Box Report

Form (Rev 80 0002-1)

When to report: This form is used to report safe deposit box contents only. It should be completed and mailed by November I with the Summary Report REV 80 0004-I. Send this report and a copy of the Summary Report separately from your regular report.

You may submit the owner names and addresses electronically using the HRS-Pro format. However, our system currently cannot accept the inventory detail in that format.

When to remit: DO NOT send safe deposit box contents with the November report. The Department will notify you in writing of the delivery date and instructions on the method of shipment. All boxes are to be sent in their entirety. All coins and cash must be sent intact. Bank check substitutions for cash or coins are not permitted.

#### Please type or legibly print your report.

- a. Holder: Enter the holder's name and address exactly as it appears (after corrections, if any) on the Summary Report for Unclaimed Property.
- **b. Holder number:** Enter the Washington State Unclaimed Property holder number assigned to you, if known. Use this number on all related correspondence.
- **c. Report year:** Enter the year for which the report is being filed.
- **d. Period covered:** Enter the period covered for this report.

**Page:** Enter the page number of the report (for example, 1 of 2).

**Note:** all shaded areas are for Department use only

**Item I:** Enter the owner's safe deposit box number or safekeeping area where contents were held (vault, property room, etc.).

**Item 2:** Enter the owner(s) full name (last name first).

- **a.** List last name, full first name and full middle name, if available, on the appropriate lines. Be sure to include information which would help in identification such as Jr., Sr., Miss, Mrs., etc., after the middle name (for example, Smith, Jane Ann, Mrs.).
- **b.** Corporate titles should be entered exactly as adopted except that the word "the" should be omitted when it is the first word in the title.
- **c.** If a single safe deposit box has two owners, the names of both owners must be shown along with the relationship (for example, "trustee for,""or,""and" etc.).

**Item 3:** Enter the owner(s) social security number. If there is more than one owner, include all social security numbers that are available.

**Item 4:** Enter the last known address of the owner. If a single safe deposit box has two or more owners, the addresses of both must be shown. If all owners have the same address, the address may be entered once.

**Item 5:** Enter the date the safe deposit box rental period expired, or in the case of safe keeping items, the date of the last positive contact with the owner.

**Item 6:** Enter the name of the bank branch location where property was held. List the complete address including the zip code.

Item 7: Enter the amounts still owing to the holder. These amounts include unpaid safe deposit box rental charges, drilling fees, and safekeeping costs. Do not deduct any of these costs from any cash that may be in the box at this time. Holders may request reimbursement from the state for allowed charges and fees following the Department's auction of the contents. Only those fees listed on the form may be assessed.

NOTE: Delivery must be timely. Unless the delay is prearranged, you may not be reimbursed for any fees if your delivery is made after the established delivery time. Please contact us if you will need additional time to deliver the contents.

**Item 8:** Enter an itemized description of the safe deposit box or safekeeping contents. Open all sealed envelopes/containers to obtain an accurate description. Use the following examples and guidelines in completing your descriptions:

- a. one 14k gold colored ring with two clear stones
- b. three silver colored necklaces
- c. one pair screwback earrings each with one ruby-like stone
- d. one coin wrapper containing 50 US pennies dated 1918-1964 (if wrapper is empty, please indicate)
- e. one coin book containing 73 Jefferson nickels
- f. one yellow metal chain with ivory-like pendant
- g. Lucky Strike Mining Co., cert. #LSM634, 50 shs. Common, dated 1-13-32
- h. one \$50 US Series E savings bond dated 5-12-62, #Q6349724P
- i. one envelope containing two wills, four birth certificates, and miscellaneous legal papers
- j. one envelope containing miscellaneous personal papers of no apparent value (for example: receipts, canceled checks, tax papers, photos, newspaper clippings, etc.)



Department of	venue	Washington State
	e	

# Report of Unclaimed Safe Deposit Box Contents

Ψ_	
0	
Φ	
$\Box$	
ä	
Δ.	

(A) Holder		(C) Report Year	
(B) Holder Number		(D) Period CoveredTo_	
One Box Per Page	Do not send conten	Do not send contents with original report.	
1) Safe Deposit Box Number		5) Date of Abandonment (Month, Day, Year)	
2 & 3) Owner's Name & Social Security Number	Security Number	6) Branch Property Was Held	
Last Name	First Middle	Branch Name	
		Street or PO Box	
Social Security Number		City State	Zip Code
4) Owner's Mailing Address		7) Amount Due Holder	
Street or PO Box		Type Drilling\$ Unpaid Rent\$	Amount
City	State Zip Code	Safekeeping \$	
8) Itemized Description of Con	Itemized Description of Contents (One Item Per Line or Attach Itemized List):	mized List):	
1.		8.	
2.		9.	
3.		10.	
4.		11.	
		12.	
6.		13.	
7.		14.	

For tax assistance visit http://dor.wa.gov or call 1-800-647-7706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users may call 1-800-451-7985.

# Instructions for Completing Certificate of Holder form

The Certificate of Holder form is used when holder has repaid the owner or holder reported in error.

#### Unclaimed Property Account No.

Department use only

#### Verified Legal Claimant Information

Enter reported owner name, claimant name (if different), attention to, and mailing address where refund should be mailed.

If you reported in error, attach documentation and a detailed explanation.

#### Holder Information

Enter holder name, holder number (if Known), mailing address, and phone number.

If you repaid owner, include proof of repayment such as a photo copy of canceled check (front and back) or a statement signed by the claimant.

#### Claim Information

Enter dollar amount reported for, year reported/ sequence number (if more than one report was sent for that year), ID number, property type, and whether it was reported as an aggregate.

#### Holder's Declaration and Notary

Enter date, place, signature and title. Form must be notarized.



#### **CERTIFICATE OF HOLDER**

1. Unclaimed Property Account No.:  Department Use Only			
2. Verified Legal Claimant Information:	3. Holder Information:		
Reported Owner Name	Holder Name & Holder Number		
Claimant Name (if different)	Attention		
Attention	Mailing Address		
Mailing Address	City, State, Zip		
City State 7in	Dhone Number		
City, State, Zip Phone Number			
4. Claim Information:			
7. Claim Information.			
Amount Reported Year Reported/ ID Nu	umber Property Type Aggregate No		
Sequence Number			
5. Holder Declaration and Notary:			
I certify under penalty of perjury under the la	aws of the State of Washington that the foregoing is true		
and correct.			
City and state in which signed			
City and state in which signed			
Signature and Title	Date		
Subscribed and sworn to before me this	day of		
Notary Public (print name)	Notary Public (signature)		
,			
Residing at	Commission Expires		
REV 80 0007-1 (6/18/08) Please See Revers	se Side for Detailed Instructions		



# Washington Unclaimed Property Abandonment Periods

Chapter 63. 29 RCW

Section	Description	Period
. 020	Miscellaneous property held in the normal course of business (Vendor Checks, Credit Balances, Unclaimed Stock, Undelivered Stock, Dividends, and any property not specified in other sections)	3 years
.040(1)	Travelers' checks	15 years
. 040(2)	Money orders	5 years
. 050	Written instruments (banking and financial association)	3 years
. 060	Savings, matured time deposits, demand deposits (checking), now, plus interest or dividends.	3 years
. 070	Funds held by life insurance companies	3 years
. 070(3)	Limiting age	2 years
. 080	Utility deposits and refunds	l year
. 090	Ordered refunds	l year
. 100	Underlying shares and mutual funds	3 years
. 110	Liquidating distributions	l year
. 120	Funds held by fiduciaries, agents	3 years
. 130	Funds held by federal governments or other governmental agencies	2 years
. 140	Gift certificates and credit memos	3 years
. 150	Wages and payroll checks	l year
. 160	Safe deposit boxes and safekeeping	5 years

#### REPORT YEAR CONVERSION TABLE

MOST PROPERTY (Five to three years abandonment period effective November 2004 report)

Items that were issued or had a last activity date during	Need to be reported on the report by
7/1/92 thru 6/30/93	November 1, 1998
7/1/93 thru 6/30/94	November 1, 1999
7/1/94 thru 6/30/95	November 1, 2000
7/1/95 thru 6/30/96	November 1,2001
7/1/96 thru 6/30/97	November 1, 2002
7/1/97 thru 6/30/98	November 1, 2003
7/1/98 thru 6/30/01	November 1, 2004
7/1/01 thru 6/30/02	November 1, 2005
7/1/02 thru 6/30/03	November 1, 2006
7/1/03 thru 6/30/04	November 1, 2007
7/1/04 thru 6/30/05	November 1, 2008
7/1/05 thru 6/30/06	November 1, 2009
Catch-up year property types sections re	elated to RCW 63. 29
<ul> <li>.020 General property not specified in other s</li> <li>.050 Cashier checks and official checks</li> <li>.060 Savings, checking, and time deposits</li> <li>.070 (1) Life insurance funds</li> </ul>	sections

#### **PAYROLL & UTILITIES**

Underlying shares, drp's and mutual funds

Funds held by fiduciaries and agents

Gift certificates and credit memos

(One year abandonment period)

Items that were issued or had a last activity date during	Need to be reported on the report due by
7/1/96 thru 6/30/97	November 1, 1998
7/1/97 thru 6/30/98	November 1, 1999
7/1/98 thru 6/30/99	November 1, 2000
7/1/99 thru 6/30/00	November 1,2001
7/1/00 thru 6/30/01	November 1, 2002
7/1/01 thru 6/30/02	November 1, 2003
7/1/02 thru 6/30/03	November 1, 2004
7/1/03 thru 6/30/04	November 1, 2005
7/1/04 thru 6/30/05	November 1, 2006
7/1/05 thru 6/30/06	November 1, 2007
7/1/06 thru 6/30/07	November 1, 2008
7/1/07 thru 6/30/08	November 1, 2009

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#### REPORT YEAR CONVERSION TABLE

**PUBLIC AGENCIES** (Two year abandonment period)

Items that were issued or had a last activity date during	Need to be reported on the report due by
7/1/95 thru 6/30/96	November 1, 1998
7/1/96 thru 6/30/97	November 1, 1999
7/1/97 thru 6/30/98	November 1, 2000
7/1/98 thru 6/30/99	November 1, 2001
7/1/99 thru 6/30/00	November 1, 2002
7/1/00 thru 6/30/01	November 1, 2003
7/1/01 thru 6/30/02	November 1, 2004
7/1/02 thru 6/30/03	November 1, 2005
7/1/03 thru 6/30/04	November 1, 2006
7/1/04 thru 6/30/05	November 1, 2007
7/1/05 thru 6/30/06	November 1,2008
7/1/06 thru 6/30/07	November 1, 2009

#### MONEY ORDERS & SAFE DEPOSIT BOX CONTENTS

(Five year abandonment period)

ltems that were issued or had a last activity date during	Need to be reported on the report by
7/1/92 thru 6/30/93	November I, 1998
7/1/93 thru 6/30/94	November 1, 1999
7/1/94 thru 6/30/95	November 1, 2000
7/1/95 thru 6/30/96	November 1,2001
7/1/96 thru 6/30/97	November 1, 2002
7/1/97 thru 6/30/98	November 1, 2003
7/1/98 thru 6/30/99	November 1, 2004
7/1/99 thru 6/30/00	November 1, 2005
7/1/00 thru 6/30/01	November 1, 2006
7/1/01 thru 6/30/02	November 1, 2007
7/1/02 thru 6/30/03	November 1,2008
7/1/03 thru 6/30/04	November 1, 2009



#### PROPERTY CATEGORY CODE TABLE

Account Balances Due (AC)		Miscellaneous Checks and Intangible		Safe Deposit Boxes & Safekeeping (SD)	
AC01	Checking accounts		al Property Held in the Ordinary	SD01	Contents of safe deposit boxes
AC02	Savings accounts		e of Business (MS)	SD02	Contents of any other
AC03	Matured certificates of deposit or	MS09	Credit balances/accounts		safekeeping repository
	savings certificates		receivable	SD03	Other tangible property
AC04	Christmas Club accounts	MS10	Discounts due	SD04	Unclaimed Ioan collateral
AC05	Money on deposit to secure	MSII	Refunds/rebates due		
	funds	MS12	Unredeemed gift certificates	D	J. F M I I (MI)
AC06	Security deposits	MS13	Unclaimed loan collateral		ds From Mineral Interests (MI)
AC07	Unidentified deposits	MS14	Sums payable under pension and	MIOI	Net revenue interests
AC08	Suspense accounts		profit sharing plans	MI02	Royalties
AC09	Interest		(e.g., IRA, KEOGH)	MI03	Overriding royalties
		MS15	Property distributable in the	MI04	Production payments
			course of involuntary dissolution	MI05	Working interests
	Deposits (CT)		or liquidation	MI06	Bonuses
CT01	Escrow funds	MS16	Any other miscellaneous	MI07	Delay rentals
CT02	Condemnation awards		outstanding checks	MI08	Shut-in royalties
CT03	Missing heir's funds	MS17	Any other miscellaneous	MI09	Minimum royalties
CT04	Suspense accounts		intangible personal property		
CT05	Any other types of deposits made	MS18	Suspense liabilities	Cocurie	ties (SC)
	with a court or public authority	MS19	Payroll Agent ADP	SC01	Dividends
CT06	Unrefunded bonds			SC02	
CT07	Judgment	Utilitie	s (LIT)	3C02	Interest payable on registered
CT08	Garnishment	UTOI	Utility deposits	CCO2	bonds
CT09	Support	UT02	Membership fees	SC03	Shares of preferred stock
CT10	Restitution	UT03	Refunds or rebates	SC04	Equity payments
CTII	Bail Refund	UT04		SC05	Profits
		0104	Capital credit distributions	SC06	Funds paid toward the purchase of shares, or interest in a
Insurance (IN)		Uncashed Checks (CK)			financial or business
INOI	Individual policy benefits or	CK01	Cashiers' checks		organization
	claim payments	CK02	Certified checks	SC07	Bearer bond interest/principal
IN02	Group policy benefits or claim payments	CK03 CK04	Registered checks Treasurers' checks	SC08	Shares of stock (returned by post office)
IN03	Death benefits due beneficiaries	CK05	Drafts	SC09	Cash for fractional shares
IN04	Proceeds from matured policies,	CK06	Warrants	SC10	Unexchanged stock of successor
	endowments, or annuities	CK07	Money orders		corporation
IN05	Premium refunds on individual	CK08	Travelers' checks	SCII	Any other certificates
	policies	CK09	Foreign exchange checks		of ownership

**IN06** Unidentified remittances IN07 Other amounts due under policy

**IN08** Agent credit balances IN09 Unrefunded Bond

#### Miscellaneous Checks and Intangible Personal Property Held in the Ordinary Course of Business (MS)

MS01 Wages, payroll, or salary MS02 Commissions MS03 Worker's compensation benefits Payment for goods and services MS04 MS05 Customer overpayments MS06 Unidentified remittances MS07 Unrefunded overcharges MS08 Accounts payable

CK09 Foreign exchange checks CK10 Expense checks CK11 Pension checks CK12 Credit checks or memos CK13 Vendor checks CK14 Any checks that have been written off to income or surplus CK15 Any other outstanding official checks or exchange items CK16 CD interest checks

## Trust, Investments and Escrow

Paying agent accounts TR02 Undelivered dividends or uncashed dividends TR03 Funds held in a fiduciary capacity **TR04** Escrow accounts TR05 Trust vouchers

Pre-need funeral plans

or SC12 Underlying shares of stock SCI3 Funds for liquidation/redemption

of unsurrendered stocks or bonds

Matured principal on registered

Dividend reinvestment plans

U.S. Government Securities

TR06

SC21 Bearer Bond Interest SC22 Bearer Bond Principal SC23 Cash in Lieu

Debentures

Mutual funds

Warrants or rights

Credit balances

SC14

SC15

SC16

SC17

SC18

SC19

SC20

Holders must send due diligence letters for any property valued over \$75. The letters must be sent between May I and August I.

# Sample Letter

(See page 25.)
May I,YEAR
Owner Name
I234 Any Street N
Any Town, US 99999-9999

#### We Have Unclaimed Property That Belongs To You

Dear Owner Name:

We have at least \$75 dollars that belongs to you and need to return it.

#### To get your money back

Please write us at the address below, or call (999) 999-9999.

Your Company Name 123 Avenue S Your Town, US 99999

The law requires us to submit this property to the Washington State Department of Revenue by November 1 of each year. If we do not hear from you by date\*, you will need to contact the state to get your money back.

Sincerely,

\*For date, determine the last date you can remove items from your system for refund, remembering to allow for processing time to get the funds to the Unclaimed Property office by the due date.

#### **RCW Sections**

- 63. 29.010 Definitions and use of terms.
- 63.29.020 Property presumed abandoned General rule Exceptions.
- 63. 29. 030 General rules for taking custody of intangible unclaimed property.
- 63. 29. 040 Travelers checks and money orders.
- 63. 29. 050 Checks, drafts, and similar instruments issued or certified by banking and financial organizations.
- 63. 29. 060 Bank deposits and funds in financial organizations.
- 63. 29. 070 Funds owing under life insurance policies.
- 63. 29. 080 Deposits held by utilities.
- 63. 29. 090 Refunds held by business associations.
- 63. 29. 100 Stock and other intangible interests in business associations.
- 63.29.110 Property of business associations held in course of dissolution.
- 63. 29. 120 Property held by agents and fiduciaries.
- 63. 29. 130 Property held by courts and public agencies.
- 63. 29. 133 Property held by landlord.
- 63. 29. 135 Abandoned intangible property held by local government.
- 63. 29. 140 Gift certificates and credit memos.
- 63. 29. 150 Wages.
- 63. 29. 160 Contents of safe deposit box or other safekeeping repository.
- 63. 29. 165 Property in self-storage facility.
- 63. 29. 170 Report of abandoned property.
- 63. 29. 180 Notice and publication of information about unclaimed property.
- 63. 29. 190 Payment or delivery of abandoned property.
- 63. 29. 200 Custody by state Holder relieved from liability Reimbursement of holder paying claim Reclaiming for owner Defense of holder Payment of safe deposit box or repository charges.
- 63.29.210 Crediting of dividends, interest, or increments to owner's account.
- 63. 29. 220 Public sale of abandoned property.
- 63. 29. 230 Deposit of funds.
- 63. 29. 240 Filing of claim with department.
- 63. 29. 250 Claim of another state to recover property

   Procedure.
- 63, 29, 260 Action to establish claim.
- 63. 29. 270 Election to take payment or delivery.
- 63. 29. 280 Destruction or disposition of property having insubstantial commercial value Immunity from liability.
- 63. 29. 290 Periods of limitation.
- 63. 29. 300 Requests for reports and examination of records.
- 63.29.310 Retention of records.
- 63. 29. 320 Enforcement.
- 63. 29. 330 Interstate agreements and cooperation Joint and reciprocal actions with other states.
- 63. 29. 340 Interest and penalties.
- 63. 29. 350 Penalty for excessive fee for locating abandoned property.
- 63. 29. 360 Foreign transactions.
- 63. 29. 370 Rules.
- 63. 29. 380 Information and records confidential.
- 63. 29. 900 Effect of new provisions Clarification of application.
- 63. 29. 901 Captions not law 1983 c 179.
- 63. 29. 902 Uniformity of application and construction.
- 63. 29. 903 Short title.
- 63. 29. 904 Severability 1983 c 179.
- 63. 29. 905 Effective date 1983 c 179.
- 63. 29. 906 Effective date 1996 c 45.

Notes: Abandoned inmate personal property: Chapter 63, 42 RCW. Unclaimed property in hands of the state patrol: Chapter 63, 35 RCW.

#### RCW 63.29.010

#### Definitions and use of terms.

As used in this chapter, unless the context otherwise requires:

- (1) "Department" means the department of revenue established under RCW 82.01.050.
- (2) "Apparent owner" means the person whose name appears on the records of the holder as the person entitled to property held, issued, or owing by the holder.
- (3) "Attorney general" means the chief legal officer of this state referred to in chapter 43. 10 RCW.
- (4) "Banking organization" means a bank, trust company, savings bank, land bank, safe deposit company, private banker, or any organization defined by other law as a bank or banking organization.
- (5) "Business association" means a nonpublic corporation, joint stock company, investment company, business trust, partnership, or association for business purposes of two or more individuals, whether or not for profit, including a banking organization, financial organization, insurance company, or utility.
- (6) "Domicile" means the state of incorporation of a corporation and the state of the principal place of business of an unincorporated person.
- (7) "Fare card" means any pass or instrument, and value contained therein, purchased to utilize public transportation facilities or services. "Fare card" does not include "gift card" or "gift certificate" as those terms are defined in RCW 19. 240.010.
- (8) "Financial organization" means a savings and loan association, cooperative bank, building and loan association, or credit union.
- (9) "Gift certificate" has the same meaning as in RCW 19, 240, 010
- (10) "Holder" means a person, wherever organized or domiciled, who is:
  - (a) In possession of property belonging to another,
  - (b) A trustee, or
  - (c) Indebted to another on an obligation.
- (11) "Insurance company" means an association, corporation, fraternal or mutual benefit organization, whether or not for profit, which is engaged in providing insurance coverage, including accident, burial, casualty, credit life, contract performance, dental, fidelity, fire, health, hospitalization, illness, life (including endowments and annuities), malpractice, marine, mortgage, surety, and wage protection insurance.
- (12) "Intangible property" does not include contract claims which are unliquidated but does include:
  - (a) Moneys, checks, drafts, deposits, interest, dividends, and income;
  - (b) Credit balances, customer overpayments, gift certificates, security deposits, refunds, credit memos, unpaid wages, unused airline tickets, and unidentified remittances, but does not include discounts which represent credit balances for which no consideration was given;
  - (c) Stocks, and other intangible ownership interests in business associations;

- (d) Moneys deposited to redeem stocks, bonds, coupons, and other securities, or to make distributions;
- (e) Liquidated amounts due and payable under the terms of insurance policies; and
- (f) Amounts distributable from a trust or custodial fund established under a plan to provide health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit sharing, employee savings, supplemental unemployment insurance, or similar benefits.
- (13) "Last known address" means a description of the location of the apparent owner sufficient for the purpose of the delivery of mail.
- (14) "Owner" means a depositor in the case of a deposit, a beneficiary in case of a trust other than a deposit in trust, a creditor, claimant, or payee in the case of other intangible property, or a person having a legal or equitable interest in property subject to this chapter or his legal representative.
- (15) "Person" means an individual, business association, state or other government, governmental subdivision or agency, public corporation, public authority, estate, trust, two or more persons having a joint or common interest, or any other legal or commercial entity.
- (16) "State" means any state, district, commonwealth, territory, insular possession, or any other area subject to the legislative authority of the United States.
- (17) "Third party bank check" means any instrument drawn against a customer's account with a banking organization or financial organization on which the banking organization or financial organization is only secondarily liable.
- (18) "Utility" means a person who owns or operates for public use any plant, equipment, property, franchise, or license for the transmission of communications or the production, storage, transmission, sale, delivery, or furnishing of electricity, water, steam, or gas.

[2005 c 285 § 1; 2004 c 168 § 13; 1983 c 179 § 1.] Notes: Effective date — 2004 c 168 §§ 13 and 14: "Sections 13 and 14 of this act take effect July 1, 2004." [2004 c 168 § 19.]

#### RCW 63. 29. 020

# Property presumed abandoned — General rule — Exceptions.

- (1) Except as otherwise provided by this chapter, all intangible property, including any income or increment derived therefrom, less any lawful charges, that is held, issued, or owing in the ordinary course of the holder's business and has remained unclaimed by the owner for more than three years after it became payable or distributable is presumed abandoned.
- (2) Property, with the exception of unredeemed Washington state lottery tickets and unpresented winning parimutuel tickets, is payable and distributable for the purpose of this chapter notwithstanding the owner's failure to make demand or to present any instrument or document required to receive payment.
- (3) This chapter does not apply to claims drafts issued by insurance companies representing offers to settle claims unliquidated in amount or settled by subsequent drafts or other means.

- (4) This chapter does not apply to property covered by chapter 63. 26 RCW.
- (5) This chapter does not apply to used clothing, umbrellas, bags, luggage, or other used personal effects if such property is disposed of by the holder as follows:
  - (a) In the case of personal effects of negligible value, the property is destroyed; or
  - (b) The property is donated to a bona fide charity.
- (6) This chapter does not apply to a gift certificate subject to the prohibition against expiration dates under RCW 19. 240. 020 or to a gift certificate subject to RCW 19. 240. 030 through 19. 240. 060. However, this chapter applies to gift certificates presumed abandoned under RCW 63. 29. 110.
- (7) This chapter does not apply to excess proceeds held by counties, cities, towns, and other municipal or quasimunicipal corporations from foreclosures for delinquent property taxes, assessments, or other liens.

[2005 c 502 § 3; 2005 c 367 § 1; 2004 c 168 § 14; 2003 lst sp. s. c 13 § 1; 1992 c 122 § 1; 1988 c 226 § 2; 1983 c 179 § 2.]

Notes: Effective date — 2005 c 502: See note following RCW 1, 12, 070.

Effective date — 2004 c 168 §§ 13 and 14: See note following RCW 63, 29, 010.

Effective dates — 2003 1st sp. s. c 13:"(1) Sections 8 through 10 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect August 1, 2003.

- (2) Sections II through I6 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July I, 2003.
- (3) Sections I through 7 of this act take effect January I, 2004. "[2003 Ist sp. s. c I3  $\S$  I7.]

#### RCW 63.29.030

# General rules for taking custody of intangible unclaimed property.

Unless otherwise provided in this chapter or by other statute of this state, intangible property is subject to the custody of this state as unclaimed property if the conditions raising a presumption of abandonment under RCW 63. 29. 020 and 63. 29. 050 through 63. 29. 160 are satisfied and:

- (1) The last known address, as shown on the records of the holder, of the apparent owner is in this state;
- (2) The records of the holder do not reflect the identity of the person entitled to the property and it is established that the last known address of the person entitled to the property is in this state;
- (3) The records of the holder do not reflect the last known address of the apparent owner, and it is established that:
  - (a) The last known address of the person entitled to the property is in this state, or
  - (b) The holder is a domiciliary or a government or governmental subdivision or agency of this state and has not previously paid or delivered the property to

- the state of the last known address of the apparent owner or other person entitled to the property;
- (4) The last known address, as shown on the records of the holder, of the apparent owner is in a state that does not provide by law for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property and the holder is a domiciliary or a government or governmental subdivision or agency of this state: PROVIDED, That a holder may rely, with acquittance, upon a list of such states which shall be provided by the department;
- (5) The last known address, as shown on the records of the holder, of the apparent owner is in a foreign nation and the holder is a domiciliary or a government or governmental subdivision or agency of this state; or
- (6) The transaction out of which the property arose occurred in this state; and
  - (a)(i) The last known address of the apparent owner or other person entitled to the property is unknown, or
  - (ii) The last known address of the apparent owner or other person entitled to the property is in a state that does not provide by law for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property: PROVIDED, That a holder may rely, with acquittance, upon a list of such states which shall be provided by the department, and
  - (b) The holder is a domiciliary of a state that does not provide by law for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property.

[1983 c 179 § 3.]

#### RCW 63. 29. 040

# Travelers checks and money orders.

- (1) Subject to subsection (4) of this section, any sum payable on a travelers check that has been outstanding for more than fifteen years after its issuance is presumed abandoned unless the owner, within fifteen years, has communicated in writing with the issuer concerning it or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the issuer.
- (2) Subject to subsection (4) of this section, any sum payable on a money order or similar written instrument, other than a third party bank check, that has been outstanding for more than five years after its issuance is presumed abandoned unless the owner, within five years, has communicated in writing with the issuer concerning it or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the issuer.
- (3) A holder may not deduct from the amount of a travelers check or money order any charge imposed by reason of the failure to present the instrument for payment unless there is a valid and enforceable written contract between the issuer and the owner of the instrument pursuant to which the issuer may impose a charge and the issuer regularly imposes such charges and does not regularly reverse or otherwise cancel them.
- (4) No sum payable on a travelers check, money order, or similar written instrument, other than a third party

- bank check, described in subsections (1) and (2) of this section may be subjected to the custody of this state as unclaimed property unless:
  - (a) The records of the issuer show that the travelers check, money order, or similar written instrument was purchased in this state;
  - (b) The issuer has its principal place of business in this state and the records of the issuer do not show the state in which the travelers check, money order, or similar written instrument was purchased; or
  - (c) The issuer has its principal place of business in this state, the records of the issuer show the state in which the travelers check, money order, or similar written instrument was purchased and the laws of the state of purchase do not provide for the escheat or custodial taking of the property or its escheat or unclaimed property law is not applicable to the property. The department shall provide to the issuer a list of all such states and the issuer may rely with acquittance upon such list.
- (5) Notwithstanding any other provision of this chapter, subsection (4) of this section applies to sums payable on travelers checks, money orders, and similar written instruments presumed abandoned on or after February I, 1965, except to the extent that those sums have been paid over to a state.

[1983 c 179 § 4.]

#### RCW 63, 29, 050

# Checks, drafts, and similar instruments issued or certified by banking and financial organizations.

- (1) Any sum payable on a check, draft, or similar instrument, except those subject to RCW 63. 29. 040, on which a banking or financial organization is directly liable, including a cashier's check and a certified check, which has been outstanding for more than three years after it was payable or after its issuance if payable on demand, is presumed abandoned, unless the owner, within three years, has communicated in writing with the banking or financial organization concerning it or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee thereof.
- (2) A holder may not deduct from the amount of any instrument subject to this section any charge imposed by reason of the failure to present the instrument for payment unless there is a valid and enforceable written contract between the holder and the owner of the instrument pursuant to which the holder may impose a charge, and the holder regularly imposes such charges and does not regularly reverse or otherwise cancel them.

[2003 | st sp. s. c | 13 § 2; | 1983 c | 179 § 5. ]

Notes: Effective dates — 2003 1st sp. s. c 13: See note following RCW 63. 29. 020.

#### RCW 63.29.060

### Bank deposits and funds in financial organizations.

(1) Any demand, savings, or matured time deposit with a banking or financial organization, including a deposit that is automatically renewable, and any funds paid toward the purchase of a share, a mutual investment certificate, or any other interest in a banking or financial organization is presumed abandoned unless the owner, within three years, has:

- (a) In the case of a deposit, increased or decreased its amount or presented the passbook or other similar evidence of the deposit for the crediting of interest;
- (b) Communicated in writing with the banking or financial organization concerning the property;
- (c) Otherwise indicated an interest in the property as evidenced by a memorandum or other record on file prepared by an employee of the banking or financial organization;
- (d) Owned other property to which subsection (1) (a), (b), or (c) of this section applies and if the banking or financial organization communicates in writing with the owner with regard to the property that would otherwise be presumed abandoned under this subsection at the address to which communications regarding the other property regularly are sent; or
- (e) Had another relationship with the banking or financial organization concerning which the owner has:
  - (i) In the case of a deposit, increased or decreased the amount of the deposit or presented the passbook or other similar evidence of the deposit for the crediting of interest;
  - (ii) Communicated in writing with the banking or financial organization; or
  - (iii) Otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the banking or financial organization and if the banking or financial organization communicates in writing with the owner with regard to the property that would otherwise be abandoned under this subsection at the address to which communications regarding the other relationship regularly are sent.
- (2) For purposes of subsection (1) of this section property includes interest and dividends.
- (3) This chapter shall not apply to deposits made by a guardian or decedent's personal representative with a banking organization when the deposit is subject to withdrawal only upon the order of the court in the guardianship or estate proceeding.
- (4) A holder may not impose with respect to property described in subsection (I) of this section any charge due to dormancy or inactivity or cease payment of interest unless:
  - (a) There is an enforceable written contract between the holder and the owner of the property pursuant to which the holder may impose a charge or cease payment of interest;
  - (b) For property in excess of ten dollars, the holder, no more than three months before the initial imposition of those charges or cessation of interest, has given written notice to the owner of the amount of those charges at the last known address of the owner stating that those charges will be imposed or that interest will cease, but the notice provided in this section need not be given with respect to charges imposed or interest ceased before June 30, 1983; and
  - (c) The holder regularly imposes such charges or ceases payment of interest and does not regularly reverse or otherwise cancel them or retroactively credit interest with respect to the property.

(5) Any property described in subsection (1) of this section that is automatically renewable is matured for purposes of subsection (1) of this section upon the expiration of its initial time period, or after one year if the initial period is less than one year, but in the case of any renewal to which the owner consents at or about the time of renewal by communicating in writing with the banking or financial organization or otherwise indicating consent as evidenced by a memorandum or other record on file prepared by an employee of the organization, the property is matured upon the expiration of the last time period for which consent was given. If, at the time provided for delivery in RCW 63. 29. 190, a penalty or forfeiture in the payment of interest would result from the delivery of the property, the time for delivery is extended until the time when no penalty or forfeiture would result.

[2003 | st sp. s. c | 13 § 3; | 1983 c | 179 § 6. ] Notes: Effective dates — 2003 | st sp. s. c | 13: See note following RCW 63. 29. 020.

#### RCW 63, 29, 070

### Funds owing under life insurance policies.

- (1) Funds held or owing under any life or endowment insurance policy or annuity contract that has matured or terminated are presumed abandoned if unclaimed for more than three years after the funds became due and payable as established from the records of the insurance company holding or owing the funds, but property described in subsection (3)(b) of this section is presumed abandoned if unclaimed for more than two years.
- (2) If a person other than the insured or annuitant is entitled to the funds and an address of the person is not known to the company or it is not definite and certain from the records of the company who is entitled to the funds, it is presumed that the last known address of the person entitled to the funds is the same as the last known address of the insured or annuitant according to the records of the company.
- (3) For purposes of this chapter, a life or endowment insurance policy or annuity contract not matured by actual proof of the death of the insured or annuitant according to the records of the company is matured and the proceeds due and payable if:
  - (a) The company knows that the insured or annuitant has died; or
  - (b)(i) The insured has attained, or would have attained if he were living, the limiting age under the mortality table on which the reserve is based;
    - (ii) The policy was in force at the time the insured attained, or would have attained, the limiting age specified in subparagraph (i) of this subsection; and
    - (iii) Neither the insured nor any other person appearing to have an interest in the policy within the preceding two years, according to the records of the company, has assigned, readjusted, or paid premiums on the policy, subjected the policy to a loan, corresponded in writing with the company concerning the policy, or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by an employee of the company.

- (4) For purposes of this chapter, the application of an automatic premium loan provision or other nonforfeiture provision contained in an insurance policy does not prevent a policy from being matured or terminated under subsection (1) of this section if the insured has died or the insured or the beneficiaries of the policy otherwise have become entitled to the proceeds thereof before the depletion of the cash surrender value of a policy by the application of those provisions.
- (5) If the laws of this state or the terms of the life insurance policy require the company to give notice to the insured or owner that an automatic premium loan provision or other nonforfeiture provision has been exercised and the notice, given to an insured or owner whose last known address according to the records of the company is in this state, is undeliverable, the company shall make a reasonable search to ascertain the policyholder's correct address to which the notice must be mailed.
- (6) Notwithstanding any other provision of law, if the company learns of the death of the insured or annuitant and the beneficiary has not communicated with the insurer within four months after the death, the company shall take reasonable steps to pay the proceeds to the beneficiary.
- (7) Commencing two years after June 30, 1983, every change of beneficiary form issued by an insurance company under any life or endowment insurance policy or annuity contract to an insured or owner who is a resident of this state must request the following information:
  - (a) The name of each beneficiary, or if a class of beneficiaries is named, the name of each current beneficiary in the class;
  - (b) The address of each beneficiary; and
  - (c) The relationship of each beneficiary to the insured.

[2003 | st sp. s. c | 13 \ 4; | 1983 c | 179 \ 7. ]

Notes: Effective dates — 2003 1st sp. s. c 13: See note following RCW 63. 29. 020.

# RCW 63.29.080

### Deposits held by utilities.

- (1) A deposit, including any interest thereon, made by a subscriber with a utility to secure payment or any sum paid in advance for utility services to be furnished, less any lawful deductions, that remains unclaimed by the owner for more than one year after termination of the services for which the deposit or advance payment was made is presumed abandoned.
- (2) Any sum which a utility has been ordered to refund and which was received for utility services rendered in this state, together with any interest thereon, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled thereto for more than one year after the date it became payable in accordance with the final determination or order providing for the refund is presumed abandoned.

[1983 c 179 § 8.]

#### RCW 63.29.090

#### Refunds held by business associations.

Except to the extent otherwise ordered by the court or administrative agency, any sum that a business association has been ordered to refund by a court or administrative agency which has remained unclaimed by the owner for more than one year after it became payable in accordance with the final determination or order providing for the refund, whether or not the final determination or order requires any person entitled to a refund to make a claim for it, is presumed abandoned. [1983 c 179 § 9.]

#### RCW 63, 29, 100

# Stock and other intangible interests in business associations.

- (1) Except as provided in subsections (2) and (5) of this section, stock or other intangible ownership interest in a business association, the existence of which is evidenced by records available to the association, is presumed abandoned and, with respect to the interest, the association is the holder, if a dividend, distribution, or other sum payable as a result of the interest has remained unclaimed by the owner for three years and the owner within three years has not:
  - (a) Communicated in writing with the association regarding the interest or a dividend, distribution, or other sum payable as a result of the interest; or
  - (b) Otherwise communicated with the association regarding the interest or a dividend, distribution, or other sum payable as a result of the interest, as evidenced by a memorandum or other record on file with the association prepared by an employee of the association.
- (2) At the expiration of a three-year period following the failure of the owner to claim a dividend, distribution, or other sum payable to the owner as a result of the interest, the interest is not presumed abandoned unless there have been at least five dividends, distributions, or other sums paid during the period, none of which has been claimed by the owner. If five dividends, distributions, or other sums are paid during the three-year period, the period leading to a presumption of abandonment commences on the date payment of the first such unclaimed dividend, distribution, or other sum became due and payable. If five dividends, distributions, or other sums are not paid during the presumptive period, the period continues to run until there have been five dividends, distributions, or other sums that have not been claimed by the owner.
- (3) The running of the three-year period of abandonment ceases immediately upon the occurrence of a communication referred to in subsection (I) of this section. If any future dividend, distribution, or other sum payable to the owner as a result of the interest is subsequently not claimed by the owner, a new period of abandonment commences and relates back to the time a subsequent dividend, distribution, or other sum became due and payable.
- (4) At the time any interest is presumed abandoned under this section, any dividend, distribution, or other sum then held for or owing to the owner as a result of the interest, and not previously presumed abandoned, is presumed abandoned.

- (5) This chapter shall not apply to any stock or other intangible ownership interest enrolled in a plan that provides for the automatic reinvestment of dividends, distributions, or other sums payable as a result of the interest unless:
  - (a) The records available to the administrator of the plan show, with respect to any intangible ownership interest not enrolled in the reinvestment plan, that the owner has not within three years communicated in any manner described in subsection (1) of this section; or
  - (b) Three years have elapsed since the location of the owner became unknown to the association, as evidenced by the return of official shareholder notifications or communications by the postal service as undeliverable, and the owner has not within those three years communicated in any manner described in subsection (1) of this section. The three-year period from the return of official shareholder notifications or communications shall commence from the earlier of the return of the second such mailing or the date the holder discontinues mailings to the shareholder.

[2003 | st sp. s. c | 13  $\S$  5; | 1996 c 45  $\S$  | 1; | 1983 c | 179  $\S$  | 10. ]

Notes: Effective dates — 2003 | st sp. s. c | 13: See note following RCW 63, 29, 020.

#### RCW 63, 29, 110

# Property of business associations held in course of dissolution.

Intangible property distributable in the course of a dissolution of a business association which remains unclaimed by the owner for more than one year after the date specified for final distribution is presumed abandoned.

[1983 c 179 § 11.]

#### RCW 63. 29. 120

### Property held by agents and fiduciaries.

- (1) Intangible property and any income or increment derived therefrom held in a fiduciary capacity for the benefit of another person is presumed abandoned unless the owner, within three years after it has become payable or distributable, has increased or decreased the principal, accepted payment of principal or income, communicated concerning the property, or otherwise indicated an interest as evidenced by a memorandum or other record on file prepared by the fiduciary.
- (2) Funds in an individual retirement account or a retirement plan for self-employed individuals or similar account or plan established pursuant to the internal revenue laws of the United States are not payable or distributable within the meaning of subsection (1) of this section unless, under the terms of the account or plan, distribution of all or part of the funds would then be mandatory.
- (3) For the purpose of this section, a person who holds property as an agent for a business association is deemed to hold the property in a fiduciary capacity for that business association alone, unless the agreement between him and the business association provides otherwise.

(4) For the purposes of this chapter, a person who is deemed to hold property in a fiduciary capacity for a business association alone is the holder of the property only insofar as the interest of the business association in the property is concerned, and the business association is the holder of the property insofar as the interest of any other person in the property is concerned.

[2003 | st sp. s. c | 13 \ 6; | 1983 c | 179 \ 12. ]

Notes: Effective dates — 2003 | st sp. s. c | 13: See note following RCW 63, 29, 020

#### RCW 63.29.130

# Property held by courts and public agencies.

Intangible property held for the owner by a court, state or other government, governmental subdivision or agency, public corporation, public authority, or the United States or any instrumentality of the United States that remains unclaimed by the owner for more than two years after becoming payable or distributable is presumed abandoned. However, courts may retain overpayments made in connection with any litigation, including traffic, criminal, and noncriminal matters, in an amount less than or equal to ten dollars. These overpayments shall be remitted by the clerk of the court to the local treasurer for deposit in the local current expense fund. [1993 c 498 § 2; 1983 c 179 § 13.]

#### RCW 63. 29. 133

#### Property held by landlord.

Intangible property held by a landlord as a result of a sheriff's sale pursuant to RCW 59. 18. 312 that remains unclaimed for a period of one year from the date of the sale is presumed abandoned.

[1992 c 38 § 9.]

Notes: Intent — Effective date — 1992 c 38: See notes following RCW 59. 18. 352.

#### RCW 63. 29. 135

# Abandoned intangible property held by local government.

A local government holding abandoned intangible property that is not forwarded to the department of revenue, as authorized under RCW 63. 29. 190, shall not be required to maintain current records of this property for longer than five years after the property is presumed to be abandoned, and at that time may archive records of this intangible property and transfer the intangible property to its general fund. However, the local government shall remain liable to pay the intangible property to a person or entity subsequently establishing its ownership of this intangible property.

[1990 2nd ex. s. c | § 301.]

Notes: Applicability — 1990 2nd ex. s. c 1: "Any funds covered by RCW 63. 29. 190 that were received by the state prior to June 6, 1990, shall be retained by the state of Washington, and any such funds not remitted to the state prior to June 6, 1990, may be retained as provided for under RCW 63. 29. 190." [1990 2nd ex. s. c | § 303.]

Severability — 1990 2nd ex.s. c 1: See note following RCW 82.14.300.

#### RCW 63. 29. 140

#### Gift certificates and credit memos.

- (1) A gift certificate or a credit memo issued in the ordinary course of an issuer's business which remains unclaimed by the owner for more than three years after becoming payable or distributable is presumed abandoned.
- (2) In the case of a gift certificate, the amount presumed abandoned is the price paid by the purchaser for the gift certificate. In the case of a credit memo, the amount presumed abandoned is the amount credited to the recipient of the memo.
- (3) A gift certificate that is presumed abandoned under this section may, but need not be, included in the report as provided under RCW 63. 29. 170(4). If a gift certificate that is presumed abandoned under this section is not timely reported as provided under RCW 63.29.170(4), RCW 19. 240. 005 through 19. 240. 110 apply to the gift certificate.

[2004 c 168 § 15; 2003 1st sp. s. c 13 § 7; 1983 c 179 §

Notes: Effective date — 2004 c 168 §§ 15 and 16: "Sections 15 and 16 of this act take effect January 1, 2005. "[2004 c 168 § 20.]

Effective dates — 2003 1st sp. s. c 13: See note following RCW 63, 29, 020.

#### RCW 63, 29, 150

#### Wages.

Unpaid wages, including wages represented by unpresented payroll checks, owing in the ordinary course of the holder's business which remain unclaimed by the owner for more than one year after becoming payable are presumed abandoned.

[1983 c 179 § 15.]

#### RCW 63.29.160

# Contents of safe deposit box or other safekeeping repository.

All tangible and intangible property held in a safe deposit box or any other safekeeping repository in this state in the ordinary course of the holder's business and proceeds resulting from the sale of the property permitted by other law, which remain unclaimed by the owner for more than five years after the lease or rental period on the box or other repository has expired, are presumed abandoned.

[1983 c 179 § 16.]

#### RCW 63.29.165

#### Property in self-storage facility.

The excess proceeds of a sale conducted pursuant to RCW 19. 150. 080 by an owner of a self-service storage facility to satisfy the lien and costs of storage which are not claimed by the occupant of the storage space or any other person which remains unclaimed for more than six months are presumed abandoned.

[1993 c 498 § 4; 1988 c 240 § 21.]

Notes: Severability — 1988 c 240: See RCW 19. 150. 904

#### RCW 63.29.170

#### Report of abandoned property.

- (1) A person holding property presumed abandoned and subject to custody as unclaimed property under this chapter shall report to the department concerning the property as provided in this section.
- (2) The report must be verified and must include:
  - (a) Except with respect to travelers checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of property with a value of more than fifty dollars presumed abandoned under this chapter;
  - (b) In the case of unclaimed funds of more than fifty dollars held or owing under any life or endowment insurance policy or annuity contract, the full name and last known address of the insured or annuitant and of the beneficiary according to the records of the insurance company holding or owing the funds;
  - (c) In the case of the contents of a safe deposit box or other safekeeping repository or in the case of other tangible property, a description of the property and the place where it is held and where it may be inspected by the department, and any amounts owing to the holder;
  - (d) The nature and identifying number, if any, or description of the property and the amount appearing from the records to be due, but items with a value of fifty dollars or less each may be reported in the aggregate;
  - (e) The date the property became payable, demandable, or returnable, and the date of the last transaction with the apparent owner with respect to the property; and
  - (f) Other information the department prescribes by rule as necessary for the administration of this chapter.
- (3) If the person holding property presumed abandoned and subject to custody as unclaimed property is a successor to other persons who previously held the property for the apparent owner or the holder has changed his or her name while holding the property, the holder shall file with the report all known names and addresses of each previous holder of the property.
- (4) The report must be filed before November 1st of each year and shall include, except as provided in RCW 63. 29. 140(3), all property presumed abandoned and subject to custody as unclaimed property under this chapter that is in the holder's possession as of the preceding June 30th. On written request by any person required to file a report, the department may postpone the reporting date.
- (5) After May 1st, but before August 1st, of each year in which a report is required by this section, the holder in possession of property presumed abandoned and subject to custody as unclaimed property under this chapter shall send written notice to the apparent owner at the last known address informing him or her that the holder is in possession of property subject to this
  - (a) The holder has in its records an address for the apparent owner which the holder's records do not disclose to be inaccurate;

- (b) The claim of the apparent owner is not barred by the statute of limitations; and
- (c) The property has a value of more than seventy-five dollars.

[2004 c 168 § 16; 2003 c 237 § 1; 1996 c 45 § 2; 1993 c 498 § 7; 1983 c 179 § 17.]

Notes: Effective date — 2004 c 168 §§ 15 and 16: See note following RCW 63. 29. 140.

#### RCW 63, 29, 180

# Notice and publication of information about unclaimed property.

- (1) The department shall cause a notice to be published not later than November 1st, immediately following the report required by RCW 63.29. 170 in a newspaper of general circulation within this state, which the department determines is most likely to give notice to the apparent owner of the property.
- (2) The published notice must be entitled "Notice to Owners of Unclaimed Property" and contain a summary explanation of how owners may obtain information about unclaimed property reported to the department.
- (3) Not later than September 1 st, immediately following the report required by RCW 63. 29. 170, the department shall mail a notice to each person whose last known address is listed in the report and who appears to be entitled to property with a value of more than seventy-five dollars presumed abandoned under this chapter and any beneficiary of a life or endowment insurance policy or annuity contract for whom the department has a last known address.
- (4) The mailed notice must contain:
  - (a) A statement that, according to a report filed with the department, property is being held to which the addressee appears entitled; and
  - (b) The name of the person reporting the property and the type of property described in the report.
- (5) This section is not applicable to sums payable on travelers checks, money orders, and other written instruments presumed abandoned under RCW 63. 29.040.

[2005 c 367 § 2; 2003 c 237 § 2; 1993 c 498 § 9; 1986 c 84 § 1; 1983 c 179 § 18.]

### RCW 63.29.190

#### Payment or delivery of abandoned property.

- (1) Except as otherwise provided in subsections (2) and (3) of this section, a person who is required to file a report under RCW 63. 29. 170 shall pay or deliver to the department all abandoned property required to be reported at the time of filing the report.
- (2)(a) Counties, cities, towns, and other municipal and quasi-municipal corporations that hold funds representing warrants canceled pursuant to RCW 36. 22. 100 and 39. 56. 040, uncashed checks, and property tax overpayments or refunds may retain the funds until the owner notifies them and establishes ownership as provided in RCW 63. 29. 135. Counties, cities, towns, or other municipal or quasi-municipal corporations shall provide to the department a report of property it is holding pursuant to this section. The report shall identify the property and owner in the manner provided in RCW 63.

- 29. 170 and the department shall publish the information as provided in RCW 63. 29. 180.
  - (b)(i) A public transportation authority that holds funds representing value on abandoned fare cards may retain the funds until the owner notifies the authority and establishes ownership as provided in RCW 63, 29, 135.
  - (ii) For the purposes of this subsection (2)(b), "public transportation authority" means a municipality, as defined in RCW 35. 58. 272, a regional transit authority authorized by chapter 81. 112 RCW, a public mass transportation system authorized by chapter 47. 60 RCW, or a city transportation authority authorized by chapter 35. 95A RCW.
- (3) The contents of a safe deposit box or other safekeeping repository presumed abandoned under RCW 63. 29. 160 and reported under RCW 63. 29. 170 shall be paid or delivered to the department within six months after the final date for filing the report required by RCW 63. 29. 170.

If the owner establishes the right to receive the abandoned property to the satisfaction of the holder before the property has been delivered or it appears that for some other reason the presumption of abandonment is erroneous, the holder need not pay or deliver the property to the department, and the property will no longer be presumed abandoned. In that case, the holder shall file with the department a verified written explanation of the proof of claim or of the error in the presumption of abandonment.

(4) The holder of an interest under RCW 63. 29. 100 shall deliver a duplicate certificate or other evidence of ownership if the holder does not issue certificates of ownership to the department. Upon delivery of a duplicate certificate to the department, the holder and any transfer agent, registrar, or other person acting for or on behalf of a holder in executing or delivering the duplicate certificate is relieved of all liability of every kind in accordance with RCW 63. 29. 200 to every person, including any person acquiring the original certificate or the duplicate of the certificate issued to the department, for any losses or damages resulting to any person by the issuance and delivery to the department of the duplicate certificate.

[2005 c 502 § 4; 2005 c 367 § 3; 2005 c 285 § 2; 1993 c 498 § 8; 1991 c 311 § 7; 1990 2nd ex. s. c | § 302; 1983 c 179 § 19.]

Notes: Reviser's note:This section was amended by 2005 c 285 § 2, 2005 c 367 § 3, and by 2005 c 502 § 4, each without reference to the other. All amendments are incorporated in the publication of this section under RCW 1. 12. 025(2). For rule of construction, see RCW 1. 12. 025(1).

Effective date — 2005 c 502: See note following RCW 1. 12. 070.

Severability — 1991 c 311: See note following RCW 82. 14. 310.

Applicability — 1990 2nd ex. s. c 1: See note following RCW 63, 29, 135.

Severability — 1990 2nd ex. s. c 1: See note following RCW 82, 14, 300,

#### RCW 63. 29. 200

Custody by state — Holder relieved from liability — Reimbursement of holder paying claim — Reclaiming for owner — Defense of holder — Payment of safe deposit box or repository charges.

- (1) Upon the payment or delivery of property to the department, the state assumes custody and responsibility for the safekeeping of the property. A person who pays or delivers property to the department in good faith is relieved of all liability to the extent of the value of the property paid or delivered for any claim then existing or which thereafter may arise or be made in respect to the property.
- (2) A holder who has paid money to the department pursuant to this chapter may make payment to any person appearing to the holder to be entitled to payment and, upon filing proof of payment and proof that the payee was entitled thereto, the department shall promptly reimburse the holder for the payment without imposing any fee or other charge. If reimbursement is sought for a payment made on an instrument, including a travelers check or money order, the holder must be reimbursed under this subsection upon filing proof that the instrument was duly presented and that payment was made to a person who appeared to the holder to be entitled to payment. The holder must be reimbursed for payment made under this subsection even if the payment was made to a person whose claim was barred under RCW 63. 29. 290(1).
- (3) A holder who has delivered property (including a certificate of any interest in a business association) other than money to the department pursuant to this chapter may reclaim the property if still in the possession of the department, without paying any fee or other charge, upon filing proof that the owner has claimed the property from the holder.
- (4) The department may accept the holder's affidavit as sufficient proof of the facts that entitle the holder to recover money and property under this section.
- (5) If the holder pays or delivers property to the department in good faith and thereafter another person claims the property from the holder or another state claims the money or property under its laws relating to escheat or abandoned or unclaimed property, the department, upon written notice of the claim, shall defend the holder against the claim and indemnify the holder against any liability on the claim.
- (6) For the purposes of this section, "good faith" means that:
  - (a) Payment or delivery was made in a reasonable attempt to comply with this chapter;
  - (b) The person delivering the property was not a fiduciary then in breach of trust in respect to the property and had a reasonable basis for believing, based on the facts then known to him, that the property was abandoned for the purposes of this chapter; and
  - (c) There is no showing that the records pursuant to which the delivery was made did not meet reasonable commercial standards of practice in the industry.

(7) Property removed from a safe deposit box or other safekeeping repository is received by the department subject to the holder's right under this subsection to be reimbursed for the actual cost of the opening and to any valid lien or contract providing for the holder to be reimbursed for unpaid rent or storage charges. The department shall reimburse or pay the holder out of the proceeds remaining after deducting the department's selling cost. The liability of the department for this reimbursement to the holder shall be limited to the proceeds of the sale of the property remaining after the deduction of the department's costs.

[1983 c 179 § 20.]

#### RCW 63, 29, 210

# Crediting of dividends, interest, or increments to owner's account.

Whenever property other than money is paid or delivered to the department under this chapter, the owner is entitled to receive from the department any dividends, interest, or other increments realized or accruing on the property at or before liquidation or conversion thereof into money.

[1983 c 179 § 21.]

# RCW 63.29.220

#### Public sale of abandoned property.

- (1) Except as provided in subsections (2) and (3) of this section the department, within five years after the receipt of abandoned property, shall sell it to the highest bidder at public sale in whatever city in the state affords in the judgment of the department the most favorable market for the property involved. The department may decline the highest bid and reoffer the property for sale if in the judgment of the department the bid is insufficient. If in the judgment of the department the probable cost of sale exceeds the value of the property, it need not be offered for sale. Any sale held under this section must be preceded by a single publication of notice, at least three weeks in advance of sale, in a newspaper of general circulation in the county in which the property is to be sold.
- (2) Securities listed on an established stock exchange must be sold at prices prevailing at the time of sale on the exchange. Other securities may be sold over the counter at prices prevailing at the time of sale or by any other method the department considers advisable. All securities may be sold over the counter at prices prevailing at the time of the sale, or by any other method the department deems advisable.
- (3) Unless the department considers it to be in the best interest of the state to do otherwise, all securities, other than those presumed abandoned under RCW 63. 29. 100, delivered to the department must be held for at least one year before being sold.
- (4) Unless the department considers it to be in the best interest of the state to do otherwise, all securities presumed abandoned under RCW 63. 29. 100 and delivered to the department must be held for at least three years before being sold. If the department sells any securities delivered pursuant to RCW 63. 29. 100 before the expiration of the three-year period, any person making a claim pursuant to this chapter before

the end of the three-year period is entitled to either the proceeds of the sale of the securities or the market value of the securities at the time the claim is made, whichever amount is greater, less any deduction for fees pursuant to RCW 63. 29. 230(2). A person making a claim under this chapter after the expiration of this period is entitled to receive either the securities delivered to the department by the holder, if they still remain in the hands of the department, or the proceeds received from sale, less any amounts deducted pursuant to RCW 63. 29. 230(2), but no person has any claim under this chapter against the state, the holder, any transfer agent, registrar, or other person acting for or on behalf of a holder for any appreciation in the value of the property occurring after delivery by the holder to the department.

(5) The purchaser of property at any sale conducted by the department pursuant to this chapter takes the property free of all claims of the owner or previous holder thereof and of all persons claiming through or under them. The department shall execute all documents necessary to complete the transfer of ownership.

[2005 c 367 § 4; 1996 c 45 § 3; 1993 c 498 § 10; 1983 c 179 § 22.]

#### RCW 63, 29, 230

#### Deposit of funds.

- (I) Except as otherwise provided by this section, the department shall promptly deposit in the general fund of this state all funds received under this chapter, including the proceeds from the sale of abandoned property under RCW 63. 29. 220. The department shall retain in a separate trust fund an amount not less than two hundred fifty thousand dollars from which prompt payment of claims duly allowed must be made by the department. Before making the deposit, the department shall record the name and last known address of each person appearing from the holders' reports to be entitled to the property and the name and last known address of each insured person or annuitant and beneficiary and with respect to each policy or contract listed in the report of an insurance company its number, and the name of the company. The record must be available for public inspection at all reasonable business hours.
- (2) The department of revenue may pay from the trust fund provided in subsection (1) of this section any costs of administering this chapter.

[1983 c 179 § 23.]

#### RCW 63, 29, 240

### Filing of claim with department.

- (1) A person, excluding another state, claiming an interest in any property paid or delivered to the department may file with it a claim on a form prescribed by it and verified by the claimant.
- (2) The department shall consider each claim within ninety days after it is filed and give written notice to the claimant if the claim is denied in whole or in part. The notice may be given by mailing it to the last address, if any, stated in the claim as the address to which notices are to be sent. If no address for notices is stated in the claim, the notice may be mailed to the last address, if any, of the claimant as stated in the claim. No notice of denial need be given if the claim fails to state either the last

address to which notices are to be sent or the address of the claimant.

- (3) If a claim is allowed, the department shall pay over or deliver to the claimant the property or the amount the department actually received or the net proceeds if it has been sold by the department, together with any additional amount required by RCW 63. 29. 210. If the claim is for property presumed abandoned under RCW 63, 29, 100 which was sold by the department within three years after the date of delivery, the amount payable for that claim is the value of the property at the time the claim was made or the net proceeds of sale, whichever is greater. If the property claimed was interest-bearing to the owner on the date of surrender by the holder, the department also shall pay interest at the legal rate or any lesser rate the property earned while in the possession of the holder. Interest begins to accrue when the property is delivered to the department and ceases on the earlier of the expiration of ten years after delivery or the date on which payment is made to the owner. No interest on interest-bearing property is payable for any period before June 30, 1983.
- (4) Any holder who pays the owner for property that has been delivered to the state and which, if claimed from the department, would be subject to subsection (3) of this section shall add interest as provided in subsection (3) of this section. The added interest must be repaid to the holder by the department in the same manner as the principal.

[1983 c 179 § 24.]

#### RCW 63. 29. 250

# Claim of another state to recover property — Procedure.

- (1) At any time after property has been paid or delivered to the department under this chapter another state may recover the property if:
  - (a) The property was subjected to custody by this state because the records of the holder did not reflect the last known address of the apparent owner when the property was presumed abandoned under this chapter, and the other state establishes that the last known address of the apparent owner or other person entitled to the property was in that state and under the laws of that state the property escheated to or was subject to a claim of abandonment by that state;
  - (b) The last known address of the apparent owner or other person entitled to the property, as reflected by the records of the holder, is in the other state and under the laws of that state the property has escheated to or become subject to a claim of abandonment by that state;
  - (c) The records of the holder were erroneous in that they did not accurately reflect the actual owner of the property and the last known address of the actual owner is in the other state and under the laws of that state the property escheated to or was subject to a claim of abandonment by that state;
  - (d) The property was subjected to custody by this state under RCW 63. 29, 030(6) and under the laws of the state of domicile of the holder the property has escheated to or become subject to a claim of abandonment by that state; or

- (e) The property is the sum payable on a travelers check, money order, or other similar instrument that was subjected to custody by this state under RCW 63. 29. 040, and the instrument was purchased in the other state, and under the laws of that state the property escheated to or became subject to a claim of abandonment by that state.
- (2) The claim of another state to recover escheated or abandoned property must be presented in a form prescribed by the department, who shall decide the claim within ninety days after it is presented. The department shall allow the claim if it determines that the other state is entitled to the abandoned property under subsection (1) of this section.
- (3) The department shall require a state, before recovering property under this section, to agree to indemnify this state and its officers and employees against any liability on a claim for the property.

[1983 c 179 § 25.]

#### RCW 63. 29. 260

### Action to establish claim.

A person aggrieved by a decision of the department or whose claim has not been acted upon within ninety days after its filing may bring an action to establish the claim in the superior court of Thurston county naming the department as a defendant. The action must be brought within ninety days after the decision of the department or within one hundred eighty days after the filing of the claim if the department has failed to act on it.

[1983 c 179 § 26.]

#### RCW 63. 29. 270

#### Election to take payment or delivery.

- (1) The department may decline to receive any property reported under this chapter which it considers to have a value less than the expense of giving notice and of sale. If the department elects not to receive custody of the property, the holder shall be notified within one hundred twenty days after filing the report required under RCW 63. 29. 170. The holder then may dispose of the property in such manner as it sees fit. No action or proceeding may be maintained against the holder for or on account of any action taken by the holder pursuant to this subsection with respect to the property.
- (2) A holder, with the written consent of the department and upon conditions and terms prescribed by it, may report and deliver property before the property is presumed abandoned. Property delivered under this subsection must be held by the department and is not presumed abandoned until such time as it otherwise would be presumed abandoned under this chapter.

[1983 c 179 § 27.]

### RCW 63.29.280

# Destruction or disposition of property having insubstantial commercial value — Immunity from liability.

If the department determines after investigation that any property delivered under this chapter has insubstantial commercial value, the department may destroy or otherwise dispose of the property at any time. No action or proceeding may be maintained against the state or any officer or against the holder for or on account of any action taken by the department pursuant to this section. Original documents which the department has identified to be destroyed and which have legal significance or historical interest may be surrendered to the state historical museum or to the state library.

[2005 c 367 § 5; 1983 c 179 § 28.]

#### RCW 63.29.290

#### Periods of limitation.

- (1) The expiration, after September 1, 1979, of any period of time specified by contract, statute, or court order, during which a claim for money or property can be made or during which an action or proceeding may be commenced or enforced to obtain payment of a claim for money or to recover property, does not prevent the money or property from being presumed abandoned or affect any duty to file a report or to pay or deliver abandoned property to the department as required by this chapter.
- (2) No action or proceeding may be commenced by the department with respect to any duty of a holder under this chapter more than six years after the duty arose.

[1983 c 179 § 29.]

#### RCW 63, 29, 300

### Requests for reports and examination of records.

- (1) The department may require any person who has not filed a report to file a verified report stating whether or not the person is holding any unclaimed property reportable or deliverable under this chapter. Nothing in this chapter requires reporting of property which is not subject to payment or delivery.
- (2) The department, at reasonable times and upon reasonable notice, may examine the records of any person to determine whether the person has complied with the provisions of this chapter. The department may conduct the examination even if the person believes it is not in possession of any property reportable or deliverable under this chapter.
- (3) If a person is treated under RCW 63. 29. 120 as the holder of the property only insofar as the interest of the business association in the property is concerned, the department, pursuant to subsection (2) of this section, may examine the records of the person if the department has given the notice required by subsection (2) of this section to both the person and the business association at least ninety days before the examination.
- (4) If an examination of the records of a person results in the disclosure of property reportable and deliverable under this chapter, the department may assess the cost of the examination against the holder at the rate of one hundred forty dollars a day for each examiner, but in no case may the charges exceed the lesser of three thousand dollars or the value of the property found to be reportable and deliverable. No assessment shall be imposed where the person proves that failure to report and deliver property was inadvertent. The cost of examination made pursuant to subsection (3) of this section may be imposed only against the business association.

(5) If a holder fails after June 30, 1983, to maintain the records required by RCW 63. 29. 310 and the records of the holder available for the periods subject to this chapter are insufficient to permit the preparation of a report, the department may require the holder to report and pay such amounts as may reasonably be estimated from any available records.

[1983 c 179 § 30.]

#### RCW 63. 29. 310

#### Retention of records.

- (1) Every holder required to file a report under RCW 63. 29. 170, as to any property for which it has obtained the last known address of the owner, shall maintain a record of the name and last known address of the owner for six years after the property becomes reportable, except to the extent that a shorter time is provided in subsection (2) of this section or by rule of the department.
- (2) Any business association that sells in this state its travelers checks, money orders, or other similar written instruments, other than third-party bank checks on which the business association is directly liable, or that provides such instruments to others for sale in this state, shall maintain a record of those instruments while they remain outstanding, indicating the state and date of issue for three years after the date the property is reportable.

[1983 c 179 § 31.]

#### RCW 63. 29. 320

#### Enforcement.

The department may bring an action in a court of competent jurisdiction to enforce this chapter.

[1983 c 179 § 32.]

#### RCW 63. 29. 330

# Interstate agreements and cooperation — Joint and reciprocal actions with other states.

- (1) The department may enter into agreements with other states to exchange information needed to enable this or another state to audit or otherwise determine unclaimed property that it or another state may be entitled to subject to a claim of custody. The department by rule may require the reporting of information needed to enable compliance with agreements made pursuant to this section and prescribe the form.
- (2) To avoid conflicts between the department's procedures and the procedures of administrators in other jurisdictions that enact the Uniform Unclaimed Property Act, the department, so far as is consistent with the purposes, policies, and provisions of this chapter, before adopting, amending or repealing rules, shall advise and consult with administrators in other jurisdictions that enact substantially the Uniform Unclaimed Property Act and take into consideration the rules of administrators in other jurisdictions that enact the Uniform Unclaimed Property Act.
- (3) The department may join with other states to seek enforcement of this chapter against any person who is or may be holding property reportable under this chapter.

- (4) At the request of another state, the attorney general of this state may bring an action in the name of the administrator of the other state in any court of competent jurisdiction to enforce the unclaimed property laws of the other state against a holder in this state of property subject to escheat or a claim of abandonment by the other state, if the other state has agreed to pay expenses incurred by the attorney general in bringing the action.
- (5) The department may request that the attorney general of another state or any other person bring an action in the name of the department in the other state. This state shall pay all expenses including attorney's fees in any action under this subsection. The department may agree to pay the person bringing the action attorney's fees based in whole or in part on a percentage of the value of any property recovered in the action. Any expenses paid pursuant to this subsection may not be deducted from the amount that is subject to the claim by the owner under this chapter.

[1983 c 179 § 33.]

#### RCW 63. 29. 340

#### Interest and penalties.

- (1) A person who fails to pay or deliver property within the time prescribed by this chapter shall be required to pay to the department interest at the rate as computed under RCW 82. 32. 050(2) from the date the property should have been paid or delivered until the property is paid or delivered, unless the department finds that the failure to pay or deliver the property within the time prescribed by this chapter was the result of circumstances beyond the person's control sufficient for waiver or cancellation of interest under RCW 82. 32. 105.
- (2) A person who willfully fails to render any report, to pay or deliver property, or to perform other duties required under this chapter shall pay a civil penalty of one hundred dollars for each day the report is withheld or the duty is not performed, but not more than five thousand dollars, plus one hundred percent of the value of the property which should have been reported, paid or delivered.
- (3) A person who willfully refuses after written demand by the department to pay or deliver property to the department as required under this chapter or who enters into a contract to avoid the duties of this chapter is guilty of a gross misdemeanor and upon conviction may be punished by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both.

[1996 c 149 § 11; 1996 c 45 § 4; 1983 c 179 § 34.]

Notes: Reviser's note: This section was amended by 1996 c 45 § 4 and by 1996 c 149 § 11, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1. 12. 025(2). For rule of construction, see RCW 1. 12. 025(1).

Findings — Intent — Effective date — 1996 c 149: See notes following RCW 82. 32. 050.

#### RCW 63. 29. 350

# Penalty for excessive fee for locating abandoned property.

It is unlawful for any person to seek or receive from any person or contract with any person for any fee or compensation for locating or purporting to locate any property which he knows has been reported or paid or delivered to the department of revenue pursuant to this chapter in excess of five percent of the value thereof returned to such owner. Any person violating this section is guilty of a misdemeanor and shall be fined not less than the amount of the fee or charge he has sought or received or contracted for, and not more than ten times such amount, or imprisoned for not more than thirty days, or both.

[1983 c 179 § 35.]

#### RCW 63, 29, 360

#### Foreign transactions.

This chapter does not apply to any property held, due, and owing in a foreign country and arising out of a foreign transaction.

[1983 c 179 § 36.]

#### RCW 63, 29, 370

#### Rules.

The department may adopt necessary rules in accordance with chapter 34.05 RCW to carry out the provisions of this chapter.

[1983 c 179 § 38.]

#### RCW 63. 29. 380

# Information and records confidential.

Any information or records required to be furnished to the department of revenue as provided in this chapter shall be confidential and shall not be disclosed to any person except the person who furnished the same to the department of revenue, and except as provided in RCW 63. 29. 180 and 63. 29. 230, or as may be necessary in the proper administration of this chapter.

[1983 c 179 § 39.]

# RCW 63. 29. 900

### Effect of new provisions — Clarification of application.

- (1) This chapter does not relieve a holder of a duty that arose before June 30, 1983, to report, pay, or deliver property. A holder who did not comply with the law in effect before June 30, 1983, is subject to the applicable enforcement and penalty provisions that then existed and they are continued in effect for the purpose of this subsection, subject to RCW 63. 29. 290(2).
- (2) The initial report to be filed under this chapter shall include all property which is presumed abandoned under this chapter. The report shall include property that was not required to be reported before June 30, 1983, but which would have been presumed abandoned on or after September 1, 1979 under the terms of chapter 63. 29 RCW.

(3) It shall be a defense to any action by the department that facts cannot be established because a holder, prior to January 1, 1983, destroyed or lost records or did not then keep records, if the destruction, loss, or failure to keep records did not violate laws existing at the time of the destruction, loss or failure.

[1983 c 179 § 37.]

# RCW 63.29.901

#### Captions not law — 1983 c 179.

Captions as used in sections of this act shall not constitute any part of the law.

[1983 c 179 § 40.]

#### RCW 63, 29, 902

#### Uniformity of application and construction.

This chapter shall be applied and construed as to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting it.

[1983 c 179 § 41.]

#### RCW 63. 29. 903

#### Short title.

This chapter may be cited as the Uniform Unclaimed Property Act of 1983.

[1983 c 179 § 42.]

#### RCW 63.29.904

# Severability — 1983 c 179.

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

[1983 c 179 § 43.]

#### RCW 63, 29, 905

### Effective date — 1983 c 179.

This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1983.

[1983 c 179 § 47.]

#### RCW 63, 29, 906

Effective date — 1996 c 45.

This act shall take effect July 1, 1996.

[1996 c 45 § 5.]



# Checklist

- O Have you completed the Summary Report (REV 80 0004-1)?
- O Label your disk, CD, or cartridge
- Is your check enclosed with your report and made payable to:
   State of Washington Unclaimed Property
- If reporting shares of stock, are the certificates enclosed and registered in the state of Washington's name? For mutual funds and dividend reivestment plans, please include a confirmation showing the transfer of shares into an account for the state of Washington.

### Phone number:

(360) 705-6706

# Mailing address:

State of Washington
Department of Revenue
Unclaimed Property Section
PO Box 34053
Seattle, WA 98124-1053

# Street address for courier deliveries:

# Ask for AM delivery

State of Washington
Department of Revenue
Unclaimed Property Section
2500 EValley RD
Suite C
Renton, WA 98055

# Web site:

ucp. dor. wa. gov



Washington State Department of Revenue
Unclaimed Property Section
PO Box 34053
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