



**Form I**

# Residential Parks Act 2007

## Notice of storage of (*valuable*) abandoned property (for use by park owner\*)

To: .....  
*[insert name of person to whom this notice is addressed (see note 1 on page 2)]*

of: .....  
*(insert forwarding address)*

Re: **Abandoned (valuable) items left at a residential park rented property at the following address:**

.....

The following items were left at the rented property: *(If insufficient space, attach a separate sheet.)*

.....  
.....  
.....  
.....  
.....

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

*For details of a park owner's\* responsibility in regard to dealing with abandoned personal documents, please see page 2 of this form.*

If the goods are not reclaimed on or before ...../...../..... (being 28 / 60 days (see note 2 on page 2) after the day on which I removed and stored the goods), they will be sold by public auction. I will then keep, from the proceeds of the sale, various costs and amounts owed to me as per section 92(9) of the *Residential Parks Act 2007* (see note 3 on page 2).

Name of park owner\*: .....

Park owner's\* signature: .....

Park owner's\* contact details: .....

.....

Date: ...../...../.....

**If you would like more information about this notice:**

Call the advice section of the Tenancies Branch  
Phone: 8204 9544 8.30am – 5pm Mon - Fri  
[www.ocba.sa.gov.au](http://www.ocba.sa.gov.au)

**\*Park owner means the owner OR the operator of the park**

### **Information for the park owner\***

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

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

- (2) If the abandoned property is a dwelling, it must be stored for 60 days. However, you must not take any action to deal with an abandoned dwelling unless the Residential Tenancies Tribunal has made an order for vacant possession of the site.
- (3) Section 92(9) of the Act states:  
"On the sale of the property by public auction, the park owner\*—
  - (a) may retain out of the proceeds of sale—
    - (i) the reasonable costs incurred by the park owner\* in dealing with the property in accordance with this Division and any other reasonable costs incurred by the park owner\* as a result of the property being left on the site, and
    - (ii) any amounts owed to the park owner\* under the residential park agreement, and
  - (b) must pay the balance (if any) to the owner of the property, or if the identity and address of the owner are not known to, or reasonably ascertainable by, the park owner\*, to the Commissioner for the credit of the Fund."
- (4) If the abandoned property includes personal documents you must take reasonable steps to keep the documents safe for at least 28 days. If you have a forwarding address for the resident, you must give them a copy of this notice. If the abandoned property consists solely of personal documents, there is no requirement for you to publish this notice in the newspaper if you do not have a forwarding address for the resident. If the personal documents are not reclaimed by the resident within 28 days, you can destroy or dispose of them.

### **Information for the resident**

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

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

### **General information**

If a dispute arises between a park owner and a resident regarding valuable abandoned property you may apply to the Residential Tenancies Tribunal for a determination and order. However, please seek assistance from the Tenancies Branch before lodging an application with the Tribunal.