

## Preparing to Leave

**If a tenant abandons their apartment the owner may retake and rent at a fair rental value.**

**The Tenant is liable:**

- For the entire rent due for the remainder of the term; plus their portion of the rent for that month, fees accrued to rent apartment, cost to restore property back to the condition it was originally rented minus wear and tear.
- For rent accrued during the period necessary to re-rent the premises at a fair rental value.

**If a Tenant abandoned the apartment and left personal property:**

**The owner shall:**

- Post a notice & send by first class mail to last known property that the apartment is considered abandoned.

**The owner is entitled to:**

- Remove the property from the dwelling, store it for 15 days from the date of the notice, and recover actual moving and storage costs from the tenant.

**The tenant can:**

- Recover ID and legal documents, all medically needed items and clothing from storage without paying within 5 calendar days.

**The tenant must:**

- Make payment of all costs of inventory, moving, and storage to the owner.
- Retrieve the property within 15 calendar days from the date of the notice.

**An owner must:**

- Give an extension for up to 15 calendar days, beyond the 15 calendar day limit to recover their property, if a tenant provides:
- A copy of a police report or protection order for situations of domestic violence.
- Verification of an extended hospitalization from a verified medical provider.
- Death certificate obituary for a tenants' death, provided by an immediate family member.
- Or no court hearing on the property is pending.

**If the tenant has made no reasonable effort to recover the property:**

**The owner is entitled to:**

- Not store certain abandoned personal property.
- Sell the property at a public sale and apply the proceeds towards any amount the tenant owes.

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### (The owner is entitled to continued)

- Notice of any public sale shall be mailed to the last known address of the tenant at least 5 calendar days prior to the public sale.
- Donate the property to charity if the donation is a commercially reasonable alternative.

#### **If the tenant is present at the public sale:**

- The tenant may specify the order in which the personal property is sold.
- The owner may sell only as much personal property necessary to satisfy the amount due.
- Under the lease agreement and statutorily allowed damages, costs, and fees associated with the abandoned items; and any unsold personal property shall be released to the tenant.

#### **If the tenant is not present at the public sale:**

- All items may be sold; and any amount over the amount due to the owner shall be paid to the tenant at current known address.

If not known, any surplus shall be disposed of in accordance with Unclaimed Property Act.