



# **Notice to Former Tenant about Abandoned Goods Form 2011**

This form should be used from 31 July 2011

# Notice to Former Tenant about Abandoned Goods

Park operator / managing real estate agent details		
Name		
Address		
Suburb	State	Postcode
Former tenant/s details		
Name		
Address		
Suburb	State	Postcode
Details of terminated agreement		
The long-stay agreement between the park operator and former tenant in relation to the following premises:		
Park name and address .....		
Site location (e.g. site number or other description) .....		
was terminated on: ...../...../.....		
Goods left on premises		
The tenant left the following goods on the above premises:		
.....		
.....		
.....		
.....		
.....		
Date goods stored		
These goods were put into storage by the park operator under the <i>Residential Parks (Long-stay Tenants) Act 2006</i> section 48(3) on:...../...../.....		
Note 1: The <i>Residential Parks (Long-stay Tenants) Act 2006</i> section 48(4) requires the park operator <b>within 7 days after the</b> above date to —		
(a) send this notice to the former tenant; and		
(b) publish a summary of this notice in a newspaper circulating generally throughout Western Australia.		
Note 2: Under the <i>Residential Parks (Long-stay Tenants) Act 2006</i> section 48(2), the park operator need not store but may remove and destroy or otherwise dispose of abandoned goods if —		
(a) the goods are perishable foodstuffs; or		
(b) the cost of the removal, storage and sale of the goods is or is likely to be more than the estimated value of the goods.		

## Reclaiming the goods

Under the *Residential Parks (Long-stay Tenants) Act 2006* section 49, a person who has a legal right to the goods may reclaim them upon paying to the park operator an amount equal to the costs reasonably incurred by the park operator in removing the goods from the agreed premises and storing them.

## Date goods must be reclaimed by

Goods required to be reclaimed by:...../...../.....

Note: Under the *Residential Parks (Long-stay Tenants) Act 2006* section 48(5), the above date must be at least 60 days after the day on which the goods were stored.

## If the goods are not reclaimed

If goods are not reclaimed by the date specified above —

- (a) under the *Residential Parks (Long-stay Tenants) Act 2006* section 48(5), the park operator must as soon as practicable arrange for the goods to be sold at public auction; and
- (b) under the *Residential Parks (Long-stay Tenants) Act 2006* section 52, the park operator is entitled to retain out of the proceeds of the sale an amount equal to the sum of —
  - (i) the reasonable costs of removing, storing and selling the goods; and
  - (ii) any amount owed to the park operator by the long-stay tenant under the long stay agreement.

Note: Under section 77(1) of the Act, if an amount of money is paid into the Rental Accommodation Fund from the proceeds of the sale of abandoned goods, a person who had a legal right to the goods before they were sold may apply to the State Administrative Tribunal for the amount to be paid to him or her.

## Park operator / managing real estate agent signature

Signatory (print name).....

Signature .....Date Signed...../...../.....