

2019



# Unclaimed Property

# Local Government Reporting Instructions



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Texas Comptroller of  
Public Accounts



# What is Unclaimed Property?

Unclaimed property is any financial asset or tangible property\* that has been abandoned by the owner

- Abandonment is determined by:
  - property type
  - date of last contact with business (holder)
- State law requires holders to report unclaimed property to the Texas Comptroller of Public Accounts

*\*tangible property as held in a safe deposit box*

# Unclaimed Property in Texas

**\$667**

**Million**

received from holders for  
report year 2018

**\$242**

**Million**

returned to owners  
in fiscal year 2018

## Fiscal 2019 Goals

- Increase number of Holders reporting
- Continue to increase the amount of property returned to owners

# Local Government

- Chapter 76 of the Texas Property Code governs the report, delivery and claims process for local government.
- Only required to remit amounts greater than \$100 to the Comptroller's office.
  - amounts less than \$100 shall be remitted to the local county treasurer
  - Treasurer must publish the missing owners' names and process all claims of amounts of \$100 or less

# Property Held by Local Governments

## ABANDONED OR UNCLAIMED PROPERTY HELD BY LOCAL GOVERNMENTS

Property Code	Type of Fund	Description	Holder	Disposition of Unclaimed Funds
CT02	Funds in an Eminent Domain proceeding	Proceeds from condemnation proceedings	County or District Clerk	Sent to local treasurer /or Comptroller after 3 year dormancy.
CT03	Escheat Funds	Property due to unidentified heirs when a person dies without a will.	County Clerk	No waiting period. As soon as the court renders its judgment the state may begin proceedings to acquire the property
CT04	Interpleaded (civil) cases	Until a case is resolved., the court may require rent or other payments to be made to the registry.	County or District Clerk. County courts at law have civil jurisdiction up to \$100,000	Sent to local treasurer /or Comptroller after 3 year dormancy.
CT05	Stale checks	Uncashed checks written by any local official except the county treasurer	Any official with a checking account	Sent to local treasurer /or Comptroller after 3 year dormancy.
CT05	Cash bail bonds	Unclaimed cash bail bonds are registry funds but CCP Art. 17.02 requires court order to release.	County or District Clerk	Requires reporting but not release to state or local treasurer, without court order.
CT05	Crime Victims Restitution	Payment by an offender to the victim for the harm caused by the offender's wrongful acts	County or Probation departments	Sent to Comptroller after 5 year dormancy.
TR03	Trust funds	Funds of minors, or persons determined to be incompetent.	County or District Clerk	Sent to local treasurer /or Comptroller after 3 year dormancy.

# Property Held by Local Governments

<b>Non-Reportable</b>			
<b>Type of Fund</b>	<b>Description</b>	<b>Holder</b>	<b>Disposition of Unclaimed Funds</b>
Juror Checks	Uncashed juror checks become non-negotiable after 90 days .	Clerk of the Court	Checks expire after 90 days and becomes county revenue. Never becomes unclaimed property.
Property Tax Refunds	Erroneous and overpayments	Tax Assessor-Collector	Checks expire after 90 days and becomes county revenue.
Excess of tax liability from forced sales	Unclaimed excess of tax liability due to original property owner	County or District Clerk	After 2 years; distributed to each taxing unit in proportion to original claim

# Property Types

## Courts/Legal Property Type: CT

Code	Property	Year
CT01	Escrow funds	3
CT02	Condemnation awards	3
CT03	Missing heirs' funds	3
CT04	Suspense accounts	3
CT05	Any other types of deposits made with a court or public authority	3
CT99	Aggregate court deposits less than \$25	

## General Business, Miscellaneous Checks and Intangible Personal Property Property Type: MS

Code	Property	Year
MS01	Wages, payroll or salary	1
MS04	Payment for goods and services	3
MS08	Accounts payable	3
MS09	Accounts receivable credit balances	3

## Trust, Investments and Escrow Accounts Property Type: TR

Code	Property	Year
TR03	Funds held in a fiduciary capacity	3

# Crime Victims Restitution

## Five year dormancy period

- Fifth anniversary of the date the department received the initial restitution payment
- Five years after the date the department last made a payment to the owner

## Report annually

- A negative report is required
- Only crime victims restitution properties should be included in the report

## Reports should include:

- The cause number of the case in which the judge ordered the restitution payment
- The amount of restitution ordered and the balance owed to the owner



# Crime Victims Restitution

## Holder name

- County name should include CSCD (Travis County CSCD)
- Holder ID will be provided

## Submitting report:

- Select Restitution-CVC as property type

### Report Info

\* Report Type: Restitution-CVC

\* Report Year: 2019

\* This is a Negative Report:  Yes  No

# Five Basic Steps of Reporting



# Deadlines

- March 1 Annual report cutoff date  
*March 2 – March 1*
- May 1 Due diligence notice deadline
- July 1 Report due



# Step 1: Determining Dormancy

Dormancy is determined by:

- No contact (via phone, email, face-to-face)
- Property type
- Crime Victims Restitution is 5 years

**General Business, Miscellaneous  
Checks and Intangible Personal  
Property  
Property Type: MS**

Code	Property	Year
MS01	Wages, payroll or salary	1
MS04	Payment for goods and services	3
MS08	Accounts payable	3
MS09	Accounts receivable credit balances	3

## Step 2: Notifying Property Owners

Section 74.1011 of Texas Property Code requires holders to:

- Mail a notice to owners for property valued at more than \$250 by May 1\*
- Include the following language in the notice:
  - You (the holder) are holding the property
  - You (the holder) may be required to deliver the property to the Comptroller's office on or before July 1 if the property is not claimed

*\*A notice must be mailed to all owners for crime victim restitution properties, regardless of amount*

# Step 3: Preparing Your Report

- **Must use reporting software that generates a file in the NAUPA2 format**
  - Manual Online Reporting (MOR) is available on [ClaimItTexas.org](http://ClaimItTexas.org)
  - National Association of Unclaimed Property Administrators  
[unclaimed.org/reporting](http://unclaimed.org/reporting)
- **Information must comply with data entry standards**
- **Property type codes:**
  - Specific for each institution
  - Based on reason funds are issued

# Step 3: Preparing Your Report

Include *all* available information:

- Full name
- Last contact dates
- Relationship codes
- Social security number
- Last known address
- Property description
- Property type
- Driver's license number
- Account number

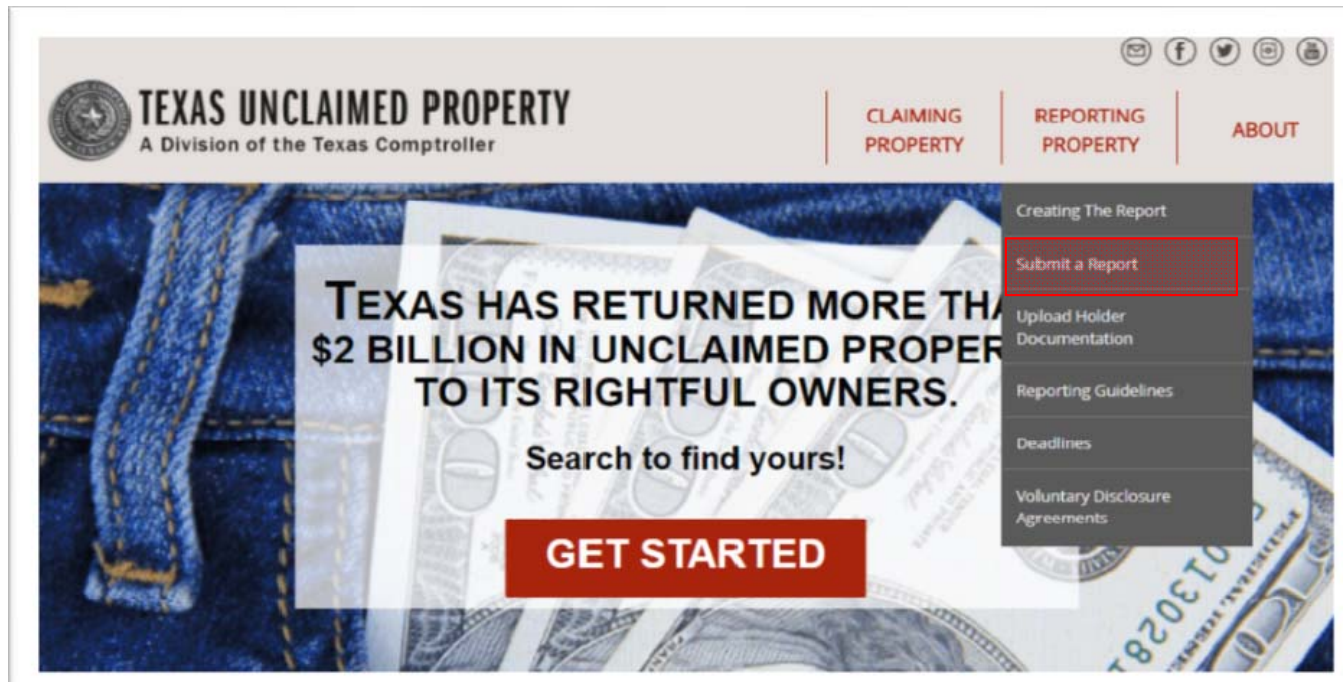
Crime Victims Restitution must *also* include:

- Cause number of the case
- Amount of restitution ordered and balance owed

# Step 4: Submitting Report and Payment

Report must be submitted electronically

- ClaimItTexas.org > Reporting Property > Submit a Report





# Step 4: Submitting Report and Payment

- Holder Contact information fields are required
- Negative Report – no properties to report
- Select the option appropriate for your report type

The screenshot shows a web form titled "ENTER HOLDER INFORMATION:" with a "NEXT" button. The form is part of a "HOLDER REPORTING" process, as indicated by the header. The header also includes a "HOME" button and a progress indicator showing steps: 1. Holder Information, 2. File Upload, 3. Preview, and 4. Summary. The Texas UP logo is visible in the top right corner.

The form contains the following fields:

- Primary Holder Info:**
  - \* Holder Name: [Text Input]
  - \* Holder Tax ID: [Text Input]
  - Holder ID: [Text Input]
  - \* Holder Contact: [Text Input]
  - \* Contact Phone No.: [Text Input]
  - Phone Extension: [Text Input]
  - \* Email: [Text Input]
  - \* Email Confirmation: [Text Input]
  - \* State: Texas (Dropdown)
- Report Info:**
  - \* Report Type: Restitution-CVC (Dropdown, highlighted with a red box)
  - \* Report Year: 2019 (Dropdown)
  - \* This is a Negative Report: Radio buttons for Yes and No (No is selected)
  - Report ID: [Text Input]

# Step 4: Submitting Report and Payment

You will receive two notifications after submitting your report

- Holder Summary – immediately after submission
- Confirmation/report ID number email – approximately one hour after submission
  - Contains payment instructions



*Rejected reports must be resubmitted within 30 days*

# Step 4: Submitting Report and Payment

Forms of payment accepted:

- TEXNET (ACH debit or credit)
- Paper check

Payment requirements:

- Payment should match the report totals
- One payment per report
- Do not send payments for individual properties

# Step 4: Submitting Report and Payment

## Paying with TEXNET

- If needed, create an unclaimed property account
- When a due date falls on a weekend or holiday, it is important to originate the ACH transaction no later than the business day before the weekend or holiday
- TEXNET Hotline at 800-531-5441, ext. 3-3010

## Paying with Check

- Include payment form with your check

53-119 (Rev. 2-16/6)

Texas Unclaimed Property Payment

Holder federal employer identification number (FEIN) Core Report ID

Holder name and address State of incorporation or charter Date of incorporation or charter

Report Contact Phone number Claims Contact Phone number

Name and Mailing address Name and Mailing address

Email address Email address

FAX number FAX number

Please provide report totals: NUMBER OF ITEMS SHARES CASH

The foregoing report contains a full and complete list of all property held by the undersigned that from the records of the undersigned, is abandoned under the laws of the State of Texas. The property delivered is a complete and correct remittance of all accounts; the existence and location of the listed owners are unknown, and the listed owners have not asserted an act of ownership with respect to the reported property.

PAYMENT AMOUNT \$

If you are paying by check, mail this form with your payment to: Comptroller of Public Accounts, Unclaimed Property, Holder Reporting Section, P.O. Box 12019, Austin, TX 78711-2019

For assistance, call 1-800-321-2274, option 2.

sign here Title

# Step 4: Submitting Report and Payment

## A Report Will Auto-Fail If:

- It is not in NAUPA2 format
- The last contact date is not provided
- The relationship code is not provided
- The report or submission is incomplete



*If you fail to submit a corrected report within 30 days, you may be subject to penalty and interest.*

# Step 5: Archiving Data

## Requirements for Archiving Information

- Section 74.013 of Texas Property Code requires holders to retain records for 10 years after property is reported
- You may be contacted by Comptroller staff for additional information (Evidence Request)
- You may be audited for compliance with this requirement

\*If you need to reprint a report that has been filed, send a written request to [open.records@cpa.texas.gov](mailto:open.records@cpa.texas.gov)

# Reporting Examples

Company A	Company B	Company C
Wages Payable	AP Check	Miscellaneous Check
\$500.00	\$200.00	\$110.00
Last contact: 2/20/2018	Last contact: 1/10/2016	Last contact: 3/05/2017

*Assume all owners have a last known address in Texas*

# Company A

## Step 1: Determining Dormancy

- Dormancy period of **1 year**, starting on 2/20/2018 and ending 2/20/2019



- Dormancy end date is prior to the March 1, 2019 **annual report cut-off date**
- Check should be included in 2019 report

Company A
Wages Payable MS01
\$500.00
Last contact: 2/20/2018



# Company A

## Step 2: Notifying Property Owners

- Owners must be notified for any properties valued at more than \$250
- Mail by May 1

Company A

Wages Payable MS01

\$500.00

Last contact:  
2/20/2018

# Company A

## Step 3: Preparing Your Report

Gather the required data from files:

- Complete owner name
- Last known address
- Date of last contact
- SSN
- Driver's license number
- Any additional information to help us identify the property owner

Company A

Wages Payable MS01

\$500.00

Last contact:  
2/20/2018

# Company A

## Step 4: Submit Report and Payment

- Reports must be submitted electronically through our secure file transfer portal at ClaimItTexas.org
- Payments can be made by check or TEXNET
- Due by July 1

### Company A

Wages Payable MS01

\$500.00

Last contact:  
2/20/2018

# Company A

## Step 5: Archive Data

- Unclaimed property records must be retained for 10 years
- Keep the report and actual account data

### Company A

Wages Payable MS01

\$500.00

Last contact:  
2/20/2018

# Company B

## Step 1: Determining Dormancy

- Dormancy period of **3 years**, starting on 1/10/2016 and ending 1/10/2019



- Dormancy end date is prior to the March 1, 2019 **annual report cut-off date**
- Check should be included in 2019 report

### Company B

AP Check MS08

\$200.00

Last contact:  
1/10/2016

# Company B

## Step 2: Notifying Property Owners

- Owner notification is **NOT** required for \$200 accounts payable (A/P) check

Company B

AP Check MS08

\$200.00

Last contact:  
1/10/2016

# Company B

## Step 3: Preparing Your Report

Gather the required data from files:

- Complete owner name
- Last known address
- Date of last contact
- SSN
- Driver's license number
- Any additional information to help us identify the property owner

Company B
AP Check MS08
\$200.00
Last contact: 1/10/2016

# Company B

## Step 4: Submit Report and Payment

- Reports **must** be submitted electronically through our secure file transfer portal at ClaimItTexas.org
- Payments can be made by check or TEXNET
- Due by July 1

### Company B

AP Check MS08

\$200.00

Last contact:  
1/10/2016



# Company B

## Step 5: Archive Data

- Unclaimed property records must be retained for 10 years
- Keep the report and actual account data

### Company B

AP Check MS08

\$200.00

Last contact:  
1/10/2016

# Company C

## Step 1: Determining Dormancy

- Dormancy period of 3 years, starting on 3/05/2018 and ending 3/05/2021



- Dormancy end date is not prior to the March 1, 2019 **annual report cutoff date**
- Check should *not* be included in 2019 report

Company C
Miscellaneous check MS16
\$110.00
Last contact: 3/05/2018

# Miscellaneous



Common  
Reporting  
Errors



Evidence  
Requests



Holder Refunds &  
Reimbursements



[ClaimItTexas.org](https://ClaimItTexas.org)

# Common Reporting Problems

## Incomplete Data

A	BLAINE	A
A	DANIEL	A
A	DEBRA	A
A	FABIAN	A
A	GERMAN	A
A	JOSE	A
A	MERLE	A
A	OPAL	A
A	PAUL	A
A	ROBERT	
A	ROSS	A
A	SHAWN	A

## “Messy” Data

6.88074E+11	GIFT CARD
6.88074E+11	GIFT CARD
6.88104E+11	GIFT CARD
6.88104E+11	GIFT CARD
6.88107E+11	GIFT CARD
6.88104E+11	GIFT CARD
6.88107E+11	GIFT CARD
6.88104E+11	GIFT CARD
6.88079E+11	GIFT CARD
6.88079E+11	GIFT CARD
6.88107E+11	GIFT CARD
6.88053E+11	GIFT CARD
6.88107E+11	GIFT CARD
6.88107E+11	GIFT CARD
6.88107E+11	GIFT CARD

# Evidence Requests

- The Comptroller's office is required to confirm beneficiaries, additional owners and other information to verify ownership
- We may send an Evidence Request asking for more information



*The more complete the data, the less likely an Evidence Request will be sent to you*

# Holder Refund & Reimbursements

## Holder Refund – (Form 53-116)

- Used when a property was reported in error
- Attach an explanation for the refund request
  - Contact has been established with property owner
  - Reported incorrectly, too early, or to incorrect state

## Holder Reimbursement – (Form 53-116)

- Used for returning unclaimed property directly to the owner
- Request must include documentation proving property was returned to customer

53-116 (Rev. 3-16/15) CLEAR FORM PRINT FORM

Texas Unclaimed Property Division  
**Holder Refund and Reimbursement Request Form**

Comptroller of Public Accounts  
Unclaimed Property Division, Research and Correspondence Section  
P.O. Box 12046  
Austin, TX 78711-2046

Holder Information:			
Holder name	Tax ID number		
Mailing address			
City	State	ZIP code	
Email address		FAX number (Area code and number)	
( )		( )	
Department	Phone (Area code and number)	Extension	
( )	( )	( )	

Property Information: Property #1 * for additional properties, use Form 53-117 (cash) or 53-130 (shares)				
Report year	Report amount	Property type code	Aggregate <input type="checkbox"/> Yes <input type="checkbox"/> No	Property amount
Owner name as indicated on report				
Owner address				Reason for request
Property description				<input type="checkbox"/> Paid owner directly (Proof of payment attached)
				<input type="checkbox"/> Reported in error (Explanation attached)

**Indemnification and Affidavit of Officer**

Upon payment by the Texas Comptroller of Public Accounts of the reimbursement/refund requested here,  
\_\_\_\_\_  
COMPANY NAME agrees to indemnify and hold harmless the Comptroller,  
its employees and agents from all losses, suits, actions or claims arising from or related to any other party who  
hereafter asserts or attempts to establish a right to payment of the requested funds.

sign here	Date
Print name	Title

If you have any questions regarding this form, call 1-800-321-2274 or 512-463-3040.  
Our FAX number is 1-888-908-9991 or 512-936-6224.

Under Ch. 559, Government Code, you are entitled to review, request and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address or phone number listed on this form.

# ClaimItTexas.org



## TEXAS UNCLAIMED PROPERTY

A Division of the Texas Comptroller

CLAIMING  
PROPERTY

REPORTING  
PROPERTY

ABOUT

**TEXAS HAS RETURNED MORE THAN  
\$2 BILLION IN UNCLAIMED PROPERTY  
TO ITS RIGHTFUL OWNERS.**

Search to find yours!

**GET STARTED**

# Questions





# Holder Education & Reporting Section

**1-800-321-2274, option 2**

**512-936-6246, option 2**

**[up.holder@cpa.texas.gov](mailto:up.holder@cpa.texas.gov)**