

Policy Type: Florin Resource Conservation District Board of Directors
Policy Title: Unclaimed Check Policy
Date Adopted: October 20, 2020
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Date Amended:

I. PURPOSE

The purpose of this policy is for the Florin Resource Conservation District/Elk Grove Water District (District) is to provide a means to address long standing unclaimed checks in a manner that is in accordance with governing statutes, and to provide general policy and procedural guidelines for the Finance Department regarding unclaimed funds.

II. POLICY

This policy is intended to address that cash balances be properly accounted for and recorded in the general ledger. Pursuant to California Government Code §50050-50055 it is the responsibility of the District to ensure unclaimed checks are identified, tracked and accounted for properly. This policy is established to address the treatment of unclaimed checks from the District. In the event of any conflict between the provisions of the California Government Code and the provisions of this policy, the provisions of the Government Code shall prevail.

III. UNCLAIMED CHECKS

During the normal course of operations, the District accumulates uncashed checks payable to vendors and customers. The following procedures are designed to properly dispose of such unclaimed property in accordance with the California Government Code:

A. Annual Review and Determination

Annually, on or around January 1 of each year, the Finance Supervisor will generate an outstanding check list and identify any checks that fall into the following categories:

1. Check amount is equal to or less than \$15 and is outstanding for more than one (1) year
2. Check amount exceeds \$15 and is outstanding for more than three (3) years

For checks that fall into Category 1, a journal entry shall be proposed by the Finance Supervisor and approved by the Finance Manager to credit the amounts to the District's fund from which the check originated (California Government Code Sections 50055).

For checks that fall into Category 2, that are not the property of the District and remain unclaimed for a period of more than three (3) years can become the

property of the District 45 days after an initial public notice is published (California Government Code §50050 and 50051).

B. Public Notice

Unclaimed checks in Category 2 shall be reviewed by the Finance Supervisor and a determination will be made to proceed if the total unclaimed checks exceed the cost to publish a public notice. The Finance Supervisor, approved by the Finance Manager, shall publish a notice once a week for two (2) successive weeks in a newspaper of general circulation and on the District's website. The notice shall state the presumed claimant's name, the amount of money, the fund in which it is held, and that it is proposed the money will become the property of the District on a designated date not less than 45 days or more than 60 days after the first publication of the notice (California Government Code §50051).

Proof of publication from the newspaper shall be retained in accordance with the District's records retention policy as evidence of meeting the publishing requirements as stated in this policy.

C. Claim Requirements

A party of interest may file a claim at any time until the date on which the money becomes the property of the District. The claim form must include the claimant's name, address, telephone number, and Social Security Number or Federal Employer Identification Number. The claimant's address, telephone number, and Social Security Number or Federal Employer Identification Number shall not be subject to public disclosure without authorization from the Finance Manager. The claim form must include proof of identity such as a copy of a driver's license, social security card or birth certificate, the amount of the claim, and the grounds on which the claim is founded (California Government Code §50052).

D. Release and Disbursement

Upon receipt of the information and documents described above, the Finance Manager, or his or her designee, may release the money by issuance of a new check to the claimant, unless the Finance Manager rejects the claim. The Finance Manager, or his or her designee, may release the money to a depositor, or heir, beneficiary, or duly appointed representative (California Government Code §50052.5).

E. Rejection of Claim

Upon rejection of a claim by the Finance Manager, a claimant may file a verified complaint in the Sacramento County Superior Court seeking to recover all, or a designated part, of the money. A copy of the complaint and summons must be served to the District within 30 days of claimant receiving notice that the claim was

rejected. The Finance Manager shall withhold the release of the portion of the unclaimed funds for which a court action has been filed until a decision is rendered by the court (California Government Code Section 50052).

F. Unclaimed Checks

Effective on the designated date, if no claim is filed against the unclaimed check, the check will revert to the District upon close of business on the 45th day after publication of the first notice. A journal entry shall be proposed by the Finance Supervisor and approved by the Finance Manager to credit the amounts to the District's fund from which the check originated.

APPENDIX A – Unclaimed Checks Notice

APPENDIX B – Unclaimed Funds Claim Form

APPENDIX A

UNCLAIMED CHECKS NOTICE

Notice is hereby given that the Florin Resource Conservation District/Elk Grove Water District (District) has posted a list of unclaimed checks on its website at www.egwd.org and in the Elk Grove Citizen. If said funds are not claimed by month, day, year, these funds will become the property of the District in accordance with California Government Code Sections 50050 – 50051. These funds may be released to the depositor, or heir, beneficiary or duly appointed representative provided a claim form has been completed with the necessary information.

The Unclaimed Funds Claim Form is available at the District, 9257 Elk Grove Blvd, Elk Grove, CA 95624, or online at www.egwd.org. Required claim information includes name, address, phone number, tax identification number, amount of claim, and grounds on which claim is founded. Once a claim is submitted, the Finance Department will determine what, if any, additional information is necessary.

APPENDIX B

Florin Resource Conservation District/Elk Grove Water District Unclaimed Funds Claim Form

Pursuant to California Government Code Section 50052, I wish to file a claim for unclaimed funds in the amount of _____ that was posted by the Florin Resource Conservation District/Elk Grove Water District (District) on _____. The undersigned claimant certifies, under penalty of perjury, that the claimant has read the claim, knows the contents thereof, is the owner of said claim, and is the person entitled to receive the money and property set forth in said claim. Each claimant agrees to indemnify and hold harmless the District, its officers, and employees from any loss resulting from the payment of said claim. The grounds on which I file this claim are:

Claims filed for a vendor require the authorized owner's signature. Claims filed for an estate or trust, require the signature of the executor, administrator or attorney.

Vendor or individual(s) name	Taxpayer ID No. or Social Security No.
Signature	Telephone
Address	City, State, Zip Code

FINANCE USE ONLY

Claim received on _____.	Approved <input type="checkbox"/>	Denied <input type="checkbox"/>
Original Warrant No.:	Date:	Amount:
Replacement Warrant No.:	Date:	Amount: