



STATE OF ARIZONA
DEPARTMENT OF INSURANCE

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CHARLES R. COHEN
Director of Insurance

Former Director Susan Gallinger issued the following Circular Letter on October 3, 1989:

Circular Letter 89-2

UNCLAIMED PROPERTY

October 3, 1989

It has come to my attention that some insurers and licensees may not be complying with the Arizona laws regarding the disposition of unclaimed property. The purpose of this circular letter is to remind insurers and licensees of these laws, and to advise that the Department of Insurance is monitoring insurers' and licensees' compliance with these laws as part of its examinations and investigations.

The Uniform Unclaimed Property Act (1981 Act) has been adopted in a number of states, including Arizona. The Act, which may be found at Arizona Revised Statutes § 44-301 *et seq.*, provides that intangible property that remains unclaimed by the apparent owner for more than five years after it becomes payable or distributable is generally presumed abandoned. Intangible property is defined in the Act to include monies, checks, drafts, deposits, interest, dividends, amounts due and payable under the terms of insurance policies and amounts distributable from trusts or other custodial funds.

Generally, abandoned intangible property is subject to the custody of the State if the last known address of the apparent owner or other person entitled to the property is located in Arizona. Persons or entities holding such abandoned intangible property are required under the Act to submit a verified report to the Arizona Department of Revenue regarding the property and to pay or deliver the property to the Department of Revenue prior to May 1st each year along with the report.

The Department of Revenue will publish a "notice of names of persons appearing to be owners of unclaimed property" in a newspaper of general circulation, and will mail a notice to the apparent owner if the Department of Revenue is able to ascertain a current address.

Upon the payment or delivery of the property to the Department of Revenue, the State of Arizona assumes custody and responsibility for the safekeeping of the property.

Any person who pays or delivers property to the Department of Revenue in good faith is relieved of all liability to the extent of the value of the property paid or delivered for any claim then existing or which may thereafter arise or be made in respect to the property. Any person claiming an interest in any property paid or delivered to the Department of Revenue may file a verified claim with the Department of Revenue. Property that remains unclaimed shall be sold by the Department of Revenue at a public sale, and the proceeds shall be deposited in the State general fund.

For further information, including reporting dates and forms, please contact the Unclaimed Property Unit, Arizona Department of Revenue, 1600 West Monroe, Phoenix, Arizona, 85007.

Susan Gallinger
DIRECTOR OF INSURANCE