

A Holder's Guide to the Unclaimed Personal Property and Vested Property Act (UPPVPA)



Topics to be Covered

What is the UPPVPA?

What is Unclaimed Property?

Definitions

- Property Types
- Minimum Values
- Indication of Abandonment
- Dormancy Periods



Topics to be Covered – cont'd

Reporting conditions

Required holder action?

Recap

What is the UPPVPA?

- An act which intends to reunite unclaimed property with its rightful owner
- In force Sept 1, 2008
- Establishes a central database which:
 - ❖ enables users to search for unclaimed property
 - ❖ facilitates the processing of claims to reunite owners with their property
 - ❖ helps manage the property effectively

What is the UPPVPA?

- Provides consumer protection for Albertans
- Provides some relief of responsibility for Holders (Holders are individuals or businesses holding property for the account of an owner)
- Applies only to property not legislated under previous enactments (either federally or provincially)



What is Unclaimed Property?

- Property being held by an individual or business on behalf of an owner whose last known address is in Alberta
- Owner whose last known address was in Alberta, cannot be contacted or found
- Owner has not indicated an interest in the property through his/her actions



Definitions: Identification

Owner: the person whose name appears on the records of a holder as the person entitled to the property held, issued or owing by the holder

Holder: Individual or entity that holds property on behalf of an owner



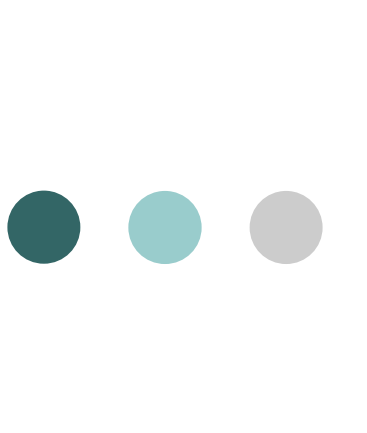
Definitions: Property Types

Personal Property: any property, including both tangible and intangible property, that is not land

Vested Property: any property, including land and personal property, a business failed to dispose of prior to dissolution or property left when a person died without known heirs

Definitions:

Property Types - cont'd



Intangible Personal Property: property held, issued or owing by a business organization or by a government or governmental organization, such as money, money orders, deposits, credit balances and share certificates



Definitions:

Intangible Property Types

- Wages, Payroll, Salary, Accounts Payable
- Customer refunds or rebates
- Stocks and bonds
- Dividend proceeds, interest payments
- Utility deposits
- Insurance Policies
- Savings Accounts/GICs/Demand Deposits
- Royalties/Mineral proceeds

Definitions:

Property Types - cont'd

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Tangible Property: property such as paintings and jewelry

- Personal property (including contents of safety deposit boxes)
- Real property (including buildings but excluding land)



Definitions: Minimum Values

Intangible: property value per owner must be more than \$250

Tangible: property value per owner must be more than \$1,000

Items with a value per owner less than above do not need to be reported

Definitions:

Property Types - Exclusions

- Gift cards
- Retail business cards
- Abandoned vehicles
- Loyalty points program
- Chequing account balances
- Canada Saving Bond balances
- Property held in trust

Definitions

Dormancy Period

- **Dormancy period:** the period of inactivity after which property is considered unclaimed
- **Date of last activity:** the date the owner last showed interest in the property



Indications of Abandonment

- No communication with the holder in writing, by telephone or other means recorded by the holder
- No evidence that the owner has received/cashed a payment or distribution relating to the property
- No owner account activity

Indications of Abandonment – cont'd

- For financial instruments, statements returned to the holder as undeliverable begin the dormancy period.
- If personal property is presumed abandoned then any other property right related to the abandoned property, such as interest on a bond, is also presumed abandoned.

Indications of Abandonment - cont'd

- For property abandoned before the legislation came into force on September 1, 2008, the dormancy period begins from this date.
- The earliest any property can be classed as unclaimed is September 1, 2009



Dormancy periods

- Traveler's cheque - 15 years
- Money order - seven years
- Savings or deposit account - five years
- Demand deposit/GICs - five years
- Financial instruments - five years
- Accounts payable - five years
- Personal property - five years
- Life insurance policies - three years
- Wages - one year
- Utility refunds - one year



Reporting Conditions

- If a holder is a resident of Alberta
- The holder is a business operating in Alberta and the owner's last known address is in Alberta

Reporting Conditions – cont'd

- A business based in Alberta and
 - owner's last known address is in Alberta,
 - owner's last known address is in a reciprocating jurisdiction where the holder does not carry on business, or
 - records do not show the owner's identity or address



Required Holder Action

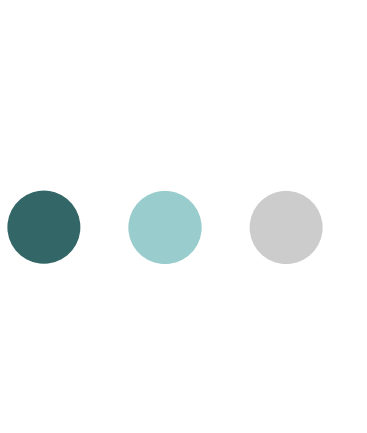
- Determine unclaimed property for current report year
- Send a notice to the owner three to eight months before the property is to be transferred to Tax and Revenue Administration
- Not required if you know the address is invalid



Notice Requirements

- Identify yourself as the holder of unclaimed personal property
- Provide the name of the owner
- Identify the unclaimed personal property

Notice Requirements – cont'd

- 
- Confirm that the unclaimed personal property falls under the provisions of the Act
 - Advise that lack of response will result in a transfer of the unclaimed personal property to Tax and Revenue Administration
 - Provide the proposed date for the transfer



When Do I File?

Within 120 days of December 31 of the year the personal property was determined unclaimed

Use either:

Holder report from the website

- Web submission(under development)
- File upload (under development)

When Do I File? – cont'd

If using the file upload, ensure it is in the correct specified format

www.finance.alberta.ca/business/unclaimed_property

When Do I File? – cont'd

Submit the report by going to:

www.finance.alberta.ca/business/unclaimed_property

And clicking on the “Report Property” link

Unclaimed Property Home

- Information for Claimants
- Information for Property Holders
- Search for Assets
- Go to other programs administered by Tax and Revenue Administration

Contact Information

[Contact Us](#)

Report Properties – Choose Method

Please select a method for filing the property:

Web - *I wish to fill in a series of web forms to enter my property information*

File Upload - *I have a NAUPA formatted file to upload*

Security Check

Type both words separated by a space in the box below and click the 'Continue' button.



stop spam.
read books.

You may also download forms to submit property or claims by paper:

http://www.finance.alberta.ca/business/unclaimed_property/

When Filing

Include:

- Holder contact details
- Report year
- Name of contact person
- Total dollars sent
- Property type code - choose a code that most accurately reflects the property you are reporting
- Date the property became unclaimed
- Use the specified file format

NAUPA Adopted Standard Property Type Codes

The National Association of Unclaimed Property Administrators (NAUPA) has endorsed a list of property codes for use in the development of standard reporting.

The codes required for use on the Holder Report form are listed on our website:

www.finance.alberta.ca/business/unclaimed_property

NAUPA Adopted Standard Property Type Codes

A few of the more common ones are:

AC07	Unidentified deposit
IN03	Insurance proceeds due beneficiaries
MS01	Wages, payroll, salary
SC01	Dividends
UT01	Utility deposits

When Filing – cont'd

- All owner information (Last name, first name, address, S.I.N., account numbers, telephone, etc.)
- Full description and value of property
- Date of last notice issued to owner

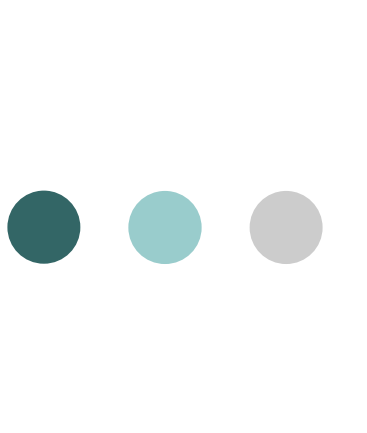
Our objective is to return ALL property to the rightful owner. Please help us to do this by providing Tax and Revenue Administration with as much information as possible to identify the owner.

Reporting Allowable Fees

Transfer fees are allowed if:

- authorized by written contract, or agreed to as reasonable by Tax and Revenue Administration.
- The fee total must not exceed the minimum value of the property (\$250).

Payment or Withholdings



Withhold or pay the same monies under the *Income Tax Act* or any other legislation, as you would if making the payment as the owner

Transfer Property - Intangible

At the same time you submit the report
(before April 30)

- By Cheque (payable to the Minister of Finance)
- Electronic remittance

Securities

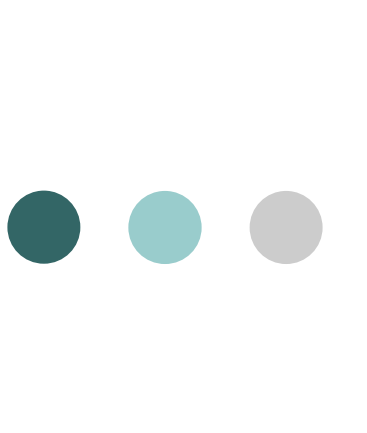
- Deliver securities to our custodian.
(Process currently in development)



Transfer Property - Tangible

- Inform Tax and Revenue Administration prior to delivery
- Delivery instructions will then be provided
- If tangible property is in a safety deposit box, ensure all contents and values are listed individually when submitting the report

Transfer Property – cont'd



A holder who transfers or delivers personal property or pays an equivalent amount for personal property to Tax and Revenue Administration is relieved from liability for that property up to the value of the property that was delivered.

This includes any increase or decrease that occurs to the property value after its delivery.

If the owner contacts you after the property has been sent, advise him/her to contact TRA.



Record Maintenance

Retain all records relating to the property transferred for 10 years

Examples of types of records:

- Those that help to identify the owner.
- Any information that helps to determine value of the property at the time of transfer.

Where can I go for help?

Website:

www.finance.alberta.ca/business/unclaimed_property

Phone:

Information Services at 780-427-3044

(Toll free 310-0000 780-427-3044, if calling within Alberta)

Email:

tra.revenue@gov.ab.ca

Use “Unclaimed Property” in the subject line

Recap

- Do you hold property for an owner?
- Is that property above the minimum dollar limit (tangible/intangible)?
- Has the dormancy (inactive) period expired?
- Is the property reportable to Tax and Revenue Administration?

Recap – cont'd

If so:

- Send notice to owner
- File report with Tax and Revenue Administration
- Deduct the appropriate fees, withholdings and remittances
- Transfer property to Tax and Revenue Administration
- Retain records for 10 years if they were not filed with the property



Finally

Just because you're a holder, doesn't mean you can't be an owner. Go to:

www.finance.alberta.ca/business/unclaimed_property

And click on the link “Search for Assets” to search for your property.

This will direct you to the search engine hosted by Missing Money.