

Action

Auto

Recovery

“Southern California’s Repossession & Skip Tracing Experts Since 1967”

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Serving: Los Angeles, Orange, Riverside & San Diego Counties Daily

LAWS: Personal Effects Q&A Information

(Q) What is to be done with personal effects or other personal property?

(A) Personal property shall be removed and a complete and accurate confidential inventory shall be made. Said items shall be securely stored for a minimum of 60 days. It is required that the repossession agency only notify the consumer of this inventory by written notice or by personal service within time limits prescribed by law. [B&P 7507.9]

(Q) May a repossession agency charge a fee for storing personal effects? (Referring to inventory of effects from a repossession)

(A) YES! A licensee may charge the debtor for storing personal effects since B & P Code 7507.9 and 9(d) states in part, "The inventory shall include; an itemization of all personal effects and storage charges that will be made by the repossession agency." A licensee may not charge a legal owner for storage of personal effects unless specifically agreed to at the time of the assignment or at a subsequent time.

(Q) What is to be done with deadly weapons contained in or on collateral at time of repossession?

(A) Deadly weapons and dangerous drugs shall be turned over to a local law enforcement agency for retention. These items shall be entered on the inventory and a notation shall be made as to the date, time and place the deadly weapon or dangerous drug was turned over to the law enforcement agency. A receipt from the law enforcement agency shall be maintained in the records of the repossession agency. [B&P 7507.9(b)(1)]

(Q) What is to be done with combustibles after being removed from a repossession?

(A) Combustibles shall be inventoried and noted as "disposed of, dangerous combustible" and disposed of in a reasonable and safe manner. [B&P 7507.9(b)(2)]

(Q) Is it lawful for a reposessor to take or use personal effects that are connected to the collateral at the time of repossession? (Example Boat and Trailer)

(A) YES! "Nothing prohibits the using or taking of personal effects that are connected, adjoined or affixed to the collateral through an unbroken sequence, if that use or taking is reasonably necessary to effectuate the recovery in a safe manner or to protect the collateral or personal effects". [B&P 7505.2]

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