

What if DPW says they need to clean now and the owner of the tent is away?

Document the process with video. Try to capture any deviation from official policy.

Send video, photos, and/or written description of violations to KCutler@cohsf.org

- 1) Ask DPW if they can clean around the tent
- 2) If they say they cannot, tell DPW “this property is not abandoned” and ask them to bag and tag its contents. Staff is required to provide information on how and where items may be retrieved including a tag number. Staff is required to post a Post-Removal Notice in the area.

What can I do to prevent SFPD or DPW from taking my property?

Make clear that the property is not abandoned and that you intend to come back for it by

- posting a sign with, “This tent and its belongings are NOT abandoned. They are of value”
- having someone tell DPW that “this property is not abandoned” if a cleaning is occurring.
- leaving your tent and other property in an orderly fashion while away – free of things that could be considered a “health or safety risk” to DPW.

How is San Francisco supposed to decide if the homeless person still wants his or her personal property?

According to SFPD and DPW policy “temporarily unattended property is different from abandoned property, which may be immediately discarded.” Unattended property is not abandoned if:

- the owner is there and says it is his or her property
- the owner returns while the property is being collected and says it is his or her property.
- The property is stored in a way that looks like the owner intends to come back for it (i.e. “personal belongings stored in an orderly manner”).
- another person is present and states they have been designated to watch or take care of the items during the owner’s absence.

Yes, unattended personal property may be thrown away includes items that:

- present an immediate health or safety risk, including toxic sharps, chemicals
- are soiled with urine, fecal matter, or mold (including bedding and clothing)
- perishable items, perishable food.
- Infested by rodents and insects
- furniture, or bulky items.
- trash, garbage, or debris
- illegal items.

NOTE: If personal belongings are co-mingled or littered with needles human waste, or other health risks staff may dispose of entire pile of belongings and are not required to sort through and attempt to remove the health and safety risks.

What are DPW and SFPD supposed to do with the property after they take it? How do I get my property back?

Personal items are stored at the Public Works Operations Yard at 2323 Cesar Chavez Street

- Starting from date and time of collection of items for three days (72 hours), owners can come to the Operations Yard any time of the day and retrieve their items from the 72-hour holding area.
- After 72 hours people can come to the Operations Yard Monday – Friday 9am to 3 pm to retrieve items.
- Items are stored for 90 days. After 90 days, unclaimed items are discarded.

What if DPW starts disposing of this property anyway?

Document the process with video. Try to capture any deviation from official policy.

- Clearly state *“this property is not abandoned; this property is unattended”*
- Be clear that *“this property is of value to the owner”* if there are particular items of value that you know are in the tent tell the workers.
- Ask the workers *“why are you destroying this person’s property?”* if they say it is a health and safety hazard, be sure to ask *“why?”* and ask them to provide evidence for the camera.
- If they begin bag and tagging record the process verbally noting what belongings are being bagged and tagged.
- Contact Kelley Cutler at KCutler@cohsf.org
- to make an official declaration.

FREE Legal Services Clinic

Glide – 330 Ellis Street

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Make Sure San Francisco Does Not Throw Your Property Away Because It Looks "Abandoned".

San Francisco has a **new policy** for what happens when it takes homeless people's personal property. The new policy says that tents, sleeping bags, clothes, medicines and other personal property will not be thrown away if it looks like the person still wants the property. This policy applies when SFPD or DPW find personal property such as in a homeless camp site. The policy is explained in SFPD Department Bulletin 18-089 (May 2, 2018) and DPW Departmental Procedures Manual Vol. 16, Procedure 16.05.08.

Send video, photos, and/or written description of violations to
KCutler@cohsf.org

Join and post on Facebook

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Coalition on Homelessness Group

Contact: (415) 346-3740

Know Your Property Rights!



**Coalition on
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