

Protocol for HB 2087 - Towing

1. Determination of Default:

- Monitor tenant accounts regularly to identify occupants who are in default for more than 30 days.

2. Initial Notice to Tenant:

- After an occupant has been in default for more than 30 days, prepare a notice to be sent to the tenant.
- The notice should include:
 - A statement that the tenant is in default.
 - The specific property (vehicle, watercraft, or trailer) that will be removed.
 - The amount required to cure the default.

3. Engaging a Towing Company:

- Contract with a reputable towing company for the removal of the property.
- Ensure the towing company provides their name, address, and telephone number for inclusion in the notice to the occupant.
- Owner/Operators need to contract with a towing company and signage must be posted in advance of sending their first tow notice.

4. Sending Notice to Occupant:

- At least ten days before the property is to be removed, send a notice to the occupant via verified mail or email to their last known address.
- The notice must include:
 - The name, address, and telephone number of the towing company.
 - The deadline for the occupant to cure the default to prevent the removal of the property.
- Maintain proof of sending the notice (e.g., return receipt for verified mail).

5. Removal of Property:

- If the occupant does not cure the default by the specified deadline, proceed with the removal of the property by the towing company.
- Ensure the towing company provides a receipt of the property once removed.

6. Post-Removal Procedure:

- Upon receipt of the property by the towing company, the operator is no longer liable to the occupant or any other person claiming an interest in the property.
- Document the removal process thoroughly, including the date of removal and the towing company's details.