

FORM 23 – See Quick Reference Section, Procedures ([“What are the procedural steps for reclaiming an abandoned rental unit?”](#)).

Instructions: Rent must be due and unpaid before the landlord may use this form. If so, then determine if there is any personal property in the rental unit (look through window, after knocking on the door). Enter the unit only if you cannot otherwise determine if there is any personal property in the unit and then enter only for that purpose. Check the appropriate box. Post one copy of the notice in a conspicuous spot (i.e., the front door) and mail a copy via certified mail to the tenant; mail it to the property and to any other known addresses for the tenant. Wait five business days. If the tenant does not pay the rent or otherwise return to claim possession, then you may reenter and take possession of the unit. If personal property is present, you will need to use [Forms 24](#) and [25](#).

NOTICE OF ABANDONMENT

TO:

Date:

Notice of Abandonment

NOTICE TO TENANT(S):

Your landlord believes the leased premises to be "abandoned" because:

- Personal Property Present.** All three of the following apply:
 - (1) You have been absent from the leased premises, without notice to the landlord, for at least seven days; *and*
 - (2) Rent is outstanding and unpaid for at least ten days; *and*
 - (3) Except for the presence of **some personal property** within the leased premises, there is no reasonable evidence that you are occupying the leased premises.

- No Personal Property Present.** All three of the following apply:
 - (1) You have been absent from the leased premises, without notice to the landlord, for at least five days; *and*
 - (2) Rent is outstanding and unpaid for at least five days; *and*
 - (3) **None** of your personal property remains within the leased premises.

Consequently, pursuant to Arizona Revised Statutes, Title 33, Chapter 10, Section 33-1370, you are hereby tendered written notice that the landlord deems the leased premises to be "abandoned," as that term is defined by A.R.S. § 33-1370(H). If the Premises are declared "abandoned," then you will have ten (10) days within which to pay all moving and storage expenses incurred by the landlord on your behalf to move and store your personal property. Thereafter, if you do not provide the landlord with written notification of your intent to reclaim your property and, within five days thereafter, remit payment of the moving and storage costs and reclaim your personal property, the personal property may be sold at public auction and the proceeds applied to the amount due (below) and any other amounts allowed by law to be collected by the landlord.

Unless you contact the landlord, the landlord shall enter and retake possession of the leased premises five days after this notice¹ has been: (1) posted on the door to the leased premises or some other conspicuous spot and (2) mailed via certified mail, return receipt requested, to your last known address *and* any alternate addresses known to the landlord. Any personal property remaining on or in the leased premises shall be handled in accordance with A.R.S. § 33-1370. To prevent loss of possession of the leased premises, contact:

_____ at _____ on or before _____
(Name) (phone #) (5 business days after posting and mailing)

- If this box is checked, then notwithstanding the law and the foregoing language, you are hereby notified that ***you may recover all of your personal property without paying any amount for moving or storage*** provided you contact the undersigned on or before _____.

This Notice delivered via:

<input type="checkbox"/> Certified Mail
<input type="checkbox"/> Regular First Class Mail
<input type="checkbox"/> Other _____
<input type="checkbox"/> Hand-delivery

(acknowledgment of hand-delivery by tenant)

(Landlord or agent for Landlord)

¹Service of this notice may be accomplished via regular mail, certified mail, hand-delivery, process server, etc.; the five days shall commence after the first notice is received and shall not be extended if additional copies of this notice are subsequently received.