

# Policy: Inspecting, Securing and Storing Real and Personal Property

## Purpose

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The purpose of this document is to outline NSW Trustee & Guardian's policy to inspect and secure real and personal property, and the storage of personal property by using approved service providers. Where the approved service providers do not provide the required service such as prohibited weapons and licensed firearms dealers or regional coverage, staff must seek direction from a Principal Property Officer or Principal Client Service Officer.

## Inspecting Real Property

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- Inspections of property can be instigated by the death or relocation of a customer to care, such as an aged care facility or hospital, it can be permanent or for a period of time or to access and undertake repair works.
- Prior to arranging a property visit, staff undertake a review of the matter and updates customer information systems as to the current situation. This outlines critical information in relation to the property and the customer's/occupants status and may signify the need for a property to be secured along with its contents.
- A property inspection must be undertaken by a service provider from the approved service providers list. Where the approved service providers do not provide the required service such as regional coverage, staff must seek direction from a Principal Property Officer or Principal Client Service Officer.
- If other stakeholders would like to be present at the time of the inspection, they will need to seek approval from NSW Trustee & Guardian.
- The Estate Information Form/Deceased Estate Information Form includes important information on property ownership, location and address; location of keys; occupancy status; insurances; known valuables and assets; names and contacts of key stakeholders such as real estate agents or aged care facilities; and confirmation of a budget to pay for securing the property if necessary.
- The inspection may be to simply to secure the property in the absence of the customer, or as a precursor to rent or sell recommendation and to conduct an inventory (including photographic evidence) of furniture and personal effects.
- The premises may or may not be occupied by a lawful tenant, or by other parties such as relatives on an informal basis. This will influence how inspections are handled. A beneficiary in the estate may have permission to move in immediately.
- An inspection may also be required to inspect/identify required repairs works.
- Following an inspection, last minute finalisation of important tasks to secure the property, if overlooked, can lead to later problems. For example, turning the power off with food left in the fridge can attract vermin.

### Securing and Storing Real Property

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This policy outlines the management of personal property, to ensure consistency, accountability and transparency of process. Personal property is to be managed appropriately to ensure security and continuity.

The creation and retention of process documentation will provide an audit trail for any personal property. No individual staff member is to have full authority for all aspects of the management of personal property. The separation of function allows for transparency and accountability of the processes.

The reasons why NSW Trustee & Guardian hold personal property in storage are different for both the Trustee and the Financial Management areas of the organisation. However, the actual processes upon receipting and the accountability framework apply to all personal property.

### Policy statement

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- The storage of personal property by NSW Trustee & Guardian is to be recorded, accounted for, reviewed and the property is to be secured. There is to be separation of duties in relation to the storage and security of personal property assets.
- All personal property stored by NSW Trustee & Guardian will be checked via an audit at least once per year.
- Real property owned by direct managed customers are to have a caveat lodged and be insured.
- Real property related to trusts and deceased estates are transferred into the name of NSW Trustee & Guardian, except when property is being immediately transferred to beneficiaries. NSW Trustee & Guardian is also registered on title for sale of confiscation of proceeds of crime property matters pursuant to court orders.
- Properties must be inspected on a regular basis.
- Vacant properties are to be identified, recorded, insured, regularly reported upon and secured.
- Consideration is given to leasing vacant properties to capitalise on the value of the asset.

### Scope

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Trustee Services Staff

### Legislative context

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[NSW Trustee and Guardian Act 2009](#)

### Definitions

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The term '**customer**' refers to all NSW Trustee & Guardian customers and stakeholders. Customer is broadly defined and should be considered in the relevant context. The term customer refers to:

- Person under a financial management order.
- Person who makes a Will, Power of Attorney or Trust Deed appointing NSW Trustee & Guardian to act in the appropriate capacity.
- Beneficiaries of estates and trusts – where the customer is a beneficiary of an estate or trust, decision makers must ask does the request support the administration of the estate or trust according to law.
- Stakeholders such as key contacts, family, social workers, support persons or organisations

**Personal Property** means physical items of value collected and held in secure storage by NSW Trustee & Guardian. This can be items belonging to Trusts, deceased estates managed, direct managed customers and power of attorney customers

### Document information

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<b>Title:</b>	Inspecting, Securing and Storing Real and Personal Property Policy
<b>Owner:</b>	Manager Property Service Centre
<b>Approver:</b>	Director Trustee Services
<b>Date of Effect:</b>	15 July 2020