



## Abandoned Property: What to Do With Property Left Behind After Ex Moves Out

A common question we get is what to do with personal property left behind by an ex-partner or housemate. We typically see this scenario when a couple lives in a home together. Even though they may have lived together for a long time, if only one person is listed on the deed, that person has sole ownership of the home. (Note: Only the deed is relevant to determining who owns the property, even when both parties are listed on the mortgage.) When the couple decides to part ways – whether because of domestic violence or other reasons – the person who does not have an ownership interest in the property moves out and often leaves behind some of their personal property. What is the homeowner legally required to do with that personal property?

As is common with legal questions, the answer to the question is: it depends.

### Meet Standpoint's Housing Team



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There is not one “right” answer. One important thing to consider is that the treatment of abandoned property will only become an issue if the person who left the property behind files a claim in conciliation court (small claims court). In conciliation court, the property owner should be required to prove that they owned each individual item of personal property, the value of each item of personal property, and that they left the property at home. Then, the homeowner would assert one or more of the three options as a legal defense. The homeowner will have to assess the level of risk with each option and choose the approach that feels right for them and their situation.

There are a few options available for homeowners in these situations. Check out our "What to Do With Personal Property Left Behind" section on our Forms and Flyers webpage for more information: [www.standpointmn.org/personal-property-left](http://www.standpointmn.org/personal-property-left).

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