

**70A-9a-613 Contents and form of notification before disposition of collateral -- General.**

Except in a consumer-goods transaction, the following rules apply:

- (1) The contents of a notification of disposition are sufficient if the notification:
  - (a) describes the debtor and the secured party;
  - (b) describes the collateral that is the subject of the intended disposition;
  - (c) states the method of intended disposition;
  - (d) states that the debtor is entitled to an accounting of the unpaid indebtedness and states the charge, if any, for an accounting; and
  - (e) states the time and place of a public disposition or the time after which any other disposition is to be made.
- (2) Whether the contents of a notification that lacks any of the information specified in Subsection (1) are nevertheless sufficient is a question of fact.
- (3) The contents of a notification providing substantially the information specified in Subsection (1) are sufficient, even if the notification includes:
  - (a) information not specified by that subsection; or
  - (b) minor errors that are not seriously misleading.
- (4) A particular phrasing of the notification is not required.
- (5) The following form of notification and the form appearing in Subsection 70A-9a-614(3), when completed, each provides sufficient information:

NOTIFICATION OF DISPOSITION OF COLLATERAL

To: [Name of debtor, obligor, or other person to which the notification is sent]

From: [Name, address, and telephone number of secured party]

Name of Debtor(s): [Include only if debtor(s) are not an addressee]

[For a public disposition:]

We will sell [or lease or license, as applicable] the [describe collateral] [to the highest qualified bidder] in public as follows:

Day and Date: [Insert day and date]

Time: [Insert time]

Place: [Insert place]

[For a private disposition:]

We will sell [or lease or license, as applicable] the [describe collateral] privately sometime after [day and date].

You are entitled to an accounting of the unpaid indebtedness secured by the property that we intend to sell [or lease or license, as applicable] [for a charge of \$[Insert amount] ]. You may request an accounting by calling us at [telephone number].

Enacted by Chapter 252, 2000 General Session