

57 forth in Subsection 78B-6-808(4)(b); and

58 (ii) the court orders that the restitution order be stayed.

59 (c) The date of service, the name, title, signature, and telephone number of the person
60 serving the order and the form shall be legibly endorsed on the copy of the order and the form
61 served on the defendant.

62 (d) The person serving the order and the form shall file proof of service in accordance
63 with Rule 4(e), Utah Rules of Civil Procedure.

64 (3) (a) If the defendant fails to comply with the order within the time prescribed by the
65 court, a sheriff or constable at the plaintiff's direction may enter the premises by force using the
66 least destructive means possible to remove the defendant.

67 (b) ~~[Any personal]~~ Personal property of the defendant may be removed from the
68 premises by the sheriff or constable and transported to a suitable location for safe storage. The
69 sheriff or constable may delegate responsibility for inventory, moving, and storage to the
70 plaintiff, who shall store the personal property in a suitable place and in a reasonable manner.

71 (c) A tenant may not access the property until the removal and storage costs have been
72 paid in full, except that the tenant shall be provided reasonable access within five business days
73 to retrieve:

74 (i) clothing;

75 (ii) identification;

76 (iii) financial documents, including all those related to the tenant's immigration status,
77 employment status;

78 (iv) ~~H~~→ documents pertaining to ~~H~~ receipt of public services; and

79 (v) medical information, prescription medications, and any medical equipment required
80 for maintenance of medical needs.

81 ~~[(c)]~~ (d) The personal property removed and stored shall ~~[be inventoried by the sheriff~~
82 ~~or constable or the plaintiff who shall keep the original inventory and personally deliver or mail~~
83 ~~the defendant a copy of the inventory immediately after the personal property is removed.],~~
84 after 15 calendar days, be considered abandoned property and subject to Section 78B-6-816.

85 ~~[(4) (a) After demand made by the defendant within 30 days of removal of personal~~
86 ~~property from the premises, the sheriff or constable or the plaintiff shall promptly return all of~~
87 ~~the defendant's personal property upon payment of the reasonable costs incurred for its removal~~

150 alternative.

151 (c) Any money left over from the public sale of the property shall be handled as
152 specified in Title 67, Chapter 4a, Part 2, Standards for Determining When Property is
153 Abandoned or Unclaimed.

154 (d) Nothing contained in this act shall be in derogation of or alter the owner's rights
155 under Title 38, Chapter 3, Lessors' Liens[-], or any other contractual liens or rights.

156 (3) If abandoned property is determined to belong to a person who is the tenant or an
157 occupant, the tenant or occupant may claim the property, upon payment of any costs, inventory,
158 moving, and storage, by delivery of a written demand with evidence of ownership of the
159 personal property within 15 calendar days after the notice described in Subsection (2)(b) is
160 sent. The owner may not be liable for the loss of the abandoned personal property if the
161 written demand is not received.

162 (4) As used in this section, "personal property" does not include a motor vehicle, as
163 defined in Section 41-1a-102.

164 (5) A tenant has no recourse for damage or loss if the tenant fails to recover any
165 abandoned property as required in this section.

166 (6) An owner is not required to store the following abandoned personal property:

167 (a) chemicals, pests, potentially dangerous or other hazardous materials;

168 (b) animals, including dogs, cats, fish, reptiles, rodents, birds, or other pets;

169 (c) gas, fireworks, combustibles, or any item considered to be hazardous or explosive;

170 (d) garbage;

171 (e) perishable items; or

172 (f) items that when placed in storage might create a hazardous condition or a pest
173 control issue.

174 (7) An owner shall give an extension for up to 15 calendar days, beyond the 15
175 calendar day limit described in Subsection (2)(b)(ii), to recover the ~~H→ [abandon]~~ **abandoned** ←H
175a property, if a
176 tenant provides:

177 (a) a copy of a police report or protection order for situations of domestic violence, as
178 defined in Section 76-36-1;

179 (b) verification of an extended hospitalization from a verified medical provider; or

180 (c) a death certificate or obituary for a tenant's death, provided by an immediate family