

Instructions for Filing the Application for Payment of Unclaimed Funds

Unclaimed funds are funds held by the federal courts for an individual or entity who is entitled to the money but who has failed to claim ownership. The United States Courts, as custodians of such funds, have established policies and procedures for holding, safeguarding, and accounting for the funds. The following requirements apply in the Bankruptcy Court for the Western District of Washington.

1. The Application for Payment of Unclaimed Funds.

A party who seeks the payment of unclaimed funds, or the party's agent, must file an Application for Payment of Unclaimed Funds in substantial conformance with the Court's application form and serve a copy of the application on the United States Attorney for the Western District of Washington. For purposes of this procedure, the "Applicant" is the party filing the application, and the "Claimant" is the party entitled to the unclaimed funds. The Applicant and Claimant may be the same.

2. Claimant's Required Tax Identification. Funds are made payable to the Claimant. In conjunction with the Application for Payment of Unclaimed Funds, Claimant's tax identification number (TIN) must be provided to the Court on a certification form signed by the Claimant to whom funds are being distributed.

a. Domestic Claimant: A Claimant who is a U.S. person¹ must use either the [AO 213](#) or W-9 certification form (accessible by searching the Internal Revenue Service website at: <https://www.irs.gov/>). If a Claimant seeks payment via Electronic Funds Transfer (EFT), then the [AO 213](#) form must be used.

b. Foreign Claimant: A foreign Claimant must use a W-8 certification form (accessible by searching the IRS website at: <https://www.irs.gov/>) accompanied by the [AO-215](#) form.

3. Additional Supporting Documentation to Establish Identity and Right to Payment.

Requirements for additional supporting documentation vary depending on the type of Claimant and whether the Claimant is represented by an attorney or agent. Please read these instructions carefully to identify the documents that must accompany your Application for Payment of Unclaimed Funds.

Sufficient documentation must be provided to the Court to establish the Claimant's identity and entitlement to the funds. Proof of identity must be provided in unredacted form with a current address. Personal private identifiers included in documentation provided to the Court will not be made public. If there are joint Claimants, supporting documentation must be provided for *each* Claimant.

¹ "U.S. person" includes: an individual who is a U.S. citizen or U.S. resident alien; a partnership, corporation, company or association created or organized in the U.S. or under the laws of the U.S.; an estate (other than a foreign estate); or a domestic trust (as defined in 26 C.F.R. 301.7701-7).

a. Owner of Record: The Owner of Record is the original person or entity entitled to the funds as appears on the records of the court. If the Claimant is the Owner of Record, the following additional documentation is required:

i. Owner of Record - Individual

- A. Proof of identity of the Owner of Record (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- B. Notarized signature of the Owner of Record (incorporated in application); and,
- C. Copy of a utility bill, cancelled check, W-2 or similar tax form, or other official document with the address of the Claimant as reflected on the Court's records (the address to which the original check was mailed).

ii. Owner of Record - Business or Government Entity

- A. Application must be signed by an authorized representative for and on behalf of the business or government entity;
- B. A notarized statement of the signing representative's authority;
- C. Proof of identity of the signing representative (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address); and,
- D. Copy of a utility bill, business card or license, SEC filing, or other official document with the address of the Claimant as reflected on the Court's records (the address to which the original check was mailed).

Note: If the Owner of Record's name has changed since the funds have been deposited with the court, then proof of the name change must be provided.

b. Successor Claimant: A successor Claimant may be entitled to the unclaimed funds as a result of assignment, purchase, merger, acquisition, succession or by other means. If the Claimant is a successor to the original Owner of Record, the following documentation is required:

i. Successor Claimant – Individual

- A. Proof of identity of the successor Claimant (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- B. A notarized signature of the successor Claimant (incorporated in application);
- C. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record; and,
- D. Copy of a utility bill, cancelled check, W-2 or similar tax form, or other official document with the address of the Claimant as reflected on the Court's records (the address to which the original check was mailed).

ii. Successor Claimant – Business or Government Entity

- A. Application must be signed by an authorized representative for and on behalf of the successor entity;
- B. A notarized statement of the signing representative's authority;
- C. A notarized power of attorney signed by an authorized representative of the successor entity;
- D. Proof of identity of the signing representative (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- E. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record; and,
- F. Copy of a utility bill, business card or license, SEC filing, or other official document with the address of the Claimant as reflected on the Court's records (the address to which the original check was mailed).

iii. Deceased Claimant's Estate

- A. Proof of identity of the estate representative (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- B. Certified copies of probate documents or other documents authorizing the representative to act on behalf of the decedent or decedent's estate in accordance with applicable state law (*e.g.*, small estate affidavit);
- C. Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds; and,
- D. Copy of a utility bill, cancelled check, W-2 or similar tax form, or other official document with the address of the Claimant as reflected on the Court's records (the address to which the original check was mailed).

iv. Claimant Representative: If the Applicant is Claimant's attorney, agent, or other representative, the following documentation is required:

- A. Proof of identity of the representative (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- B. A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting;
- C. Documentation sufficient to establish the Claimant's identity and entitlement to the funds, as set forth above; and,
- D. Copy of a utility bill, cancelled check, W-2 or similar tax form, or other official document with the address of the Claimant as reflected on the Court's records (the address to which the original check was mailed).

4. Filing the Application with the Court

The original Application for Payment of Unclaimed Funds, and the required supporting documentation, must be mailed to the Court at the following address:

U.S. Bankruptcy Court
Western District of Washington
700 Stewart Street, Suite 6301
Attn: Finance Dept
Seattle, WA 98101

A copy of the Application must be sent to the U.S. Attorney at the address indicated on the Application, section 4.

Once a petition is received by the Court, it will take several weeks, due to statutory deadlines and processing restrictions, for the payment to be disbursed by U.S. Treasury. Please be patient.