

## Instructions for Filing an Application for Payment of Unclaimed Funds for Western Washington Bankruptcy Court

Unclaimed funds are held by the court on behalf of an individual or entity who is entitled to the money but who has failed to claim ownership. The United States Courts, as custodians of these unclaimed funds, have established policies and procedures for holding, safeguarding, and accounting for the funds.

### A. Application for Payment of Unclaimed Funds

The first step in seeking the payment of unclaimed funds is to complete the Court's Application for Payment of Unclaimed Funds (the "[Application](#)") and file it with the Court along with necessary supporting documents, described below. A copy of the Application and supporting documents must also be sent to the United States Attorney for the Western District of Washington. For purposes of this procedure, the party filing the Application is referred to as the "Applicant", and the party entitled to the unclaimed funds is the "Claimant." The Applicant and Claimant may be the same.

### B. Supporting Documentation

The following supporting documentation must be provided with the Application:

- **Payee Information:** Funds are payable to the Claimant. The Applicant must provide the Claimant's tax identification number (TIN) on a certification form signed by the Claimant.
  - U.S. Person: A Claimant who is a U.S. person<sup>1</sup> must use either the [AO213P](#) or W-9 certification form (accessible by searching the Internal Revenue Service website at: <https://www.irs.gov/>). If a Claimant wants payment via Electronic Funds Transfer (EFT), the AO213P form must be used.
  - Foreign Claimant: A foreign Claimant must use a W-8 certification form [W-8BEN Certification form \(individual\)](#) or [W-8BEN Certification form \(entity\)](#) accompanied by the [AO-215](#) form.
- **Additional Documentation:** Requirements for additional supporting documentation vary depending on the type of Claimant. Documentation must be provided to assist 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. If there are joint Claimants, then supporting documentation must be provided for both Claimants.

---

<sup>1</sup> "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).

- Owner of Record: The “Owner of Record” is the original payee entitled to the funds appearing on the records of the court. If the Claimant is the Owner of Record, the following additional documentation is required:

- Owner of Record – Individual

- 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);
- Notarized signature of the Owner of Record (incorporated in the Application); and,
- 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).

- Owner of Record - Business or Government Entity

- Application must be signed by an authorized representative for and on behalf of the business or government entity;
- A notarized statement of the signing representative’s authority;
- 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,
- 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.

- Successor Claimant: A Claimant may assert a claim as a successor to the original Owner of Record (“Successor Claimant”), because of assignment, purchase, merger, acquisition, succession or other means. A Successor Claimant must provide the following documentation:

- Successor Claimant – Individual

- 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);
- A notarized signature of the successor Claimant (incorporated in Application);
- Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record; and,

- Copy of a utility bill, cancelled check, W-2 or similar tax form, or other official document with the owner of record's address as reflected on the Court's records (the address to which the original check was mailed).
- Successor Claimant – Business or Government Entity
  - Application must be signed by an authorized representative for and on behalf of the Successor Claimant;
  - A notarized statement of the signing representative's authority;
  - A notarized power of attorney signed by an authorized representative of the Successor Claimant;
  - 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);
  - Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record; and,
  - Copy of a utility bill, business card or license, SEC filing, or other official document with the owner of record's address as reflected in the Court's records (the address to which the original check was mailed).
- Deceased Claimant's Estate
  - Proof of identity of the Claimant's estate representative (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
  - Certified copies of probate documents or other documents authorizing the representative to act on behalf of the deceased Claimant or deceased Claimant's estate in accordance with applicable state law (e.g., small estate affidavit);
  - Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds; and,
  - Copy of a utility bill, cancelled check, W-2 or similar tax form, or other official document with the owner of record's address as reflected in the Court's records (the address to which the original check was mailed).
- Claimant Representative. If the Applicant is Claimant's attorney or other representative, the following documentation is required:
  - 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);
  - A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting;

- Documentation sufficient to establish the Claimant's identity and entitlement to the funds, as set forth above; and,
- Copy of a utility bill, cancelled check, W-2 or similar tax form, or other official document with the owner of record's address as reflected in the Court's records (the address to which the original check was mailed).

### **Certificate of Service**

If the Claimant is entitled to the unclaimed funds by transfer, assignment, purchase, merger, acquisition, or succession by other means, the Applicant must provide the court a [Certificate of Service](#) stating that a copy of the application was sent to the owner of record and all other previous owner(s) of the claim at their current address or Applicant has enclosed a statement explaining why Applicant was not able to do so or an explanation of why doing so is not necessary.

### **C. Filing and Service of the Application.**

- A copy of the Application and the supporting documentation must be sent to the U.S. Attorney at the address indicated on the Application, section 5.
  - A [Certificate of Service](#) must be prepared.
- The original Application, required supporting documentation, and Certificate of Service on the U.S. Attorney 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

Due to statutory deadlines and processing restrictions, it will take several weeks for our staff to process the Application and for the payment to be disbursed by US Treasury. Please be patient.