



POLICY & PROCEDURE MANUAL

SECTION Development and Tourism **POLICY NUMBER** 10-02-09

SUB-SECTION Museum of Dufferin **EFFECTIVE DATE**

SUBJECT Undocumented Property Policy

AUTHORITY Council – March 12, 2026

PURPOSE

This policy outlines the responsibilities of the Museum of Dufferin (the “Museum”) in regard to property that has been abandoned at the Museum of Dufferin or is found in the collection without proper documentation proving ownership by the Museum, and thus, the County of Dufferin (the “County”).

STATEMENT

The Museum of Dufferin is committed to establishing and maintaining clear and lawful ownership of all objects and archival records in its care. This policy provides a framework for identifying, documenting, and managing property found within the collection that lacks sufficient provenance or legal transfer of title. By addressing undocumented, abandoned, or long-term loaned materials, the Museum aims to uphold professional standards of collections management, ensure accountability, and preserve the public trust in the stewardship of cultural property.

SCOPE

This policy applies to the Museum of Dufferin only. Object/archival records that are not marked as owned by the County of Dufferin (Museum of Dufferin), or that are not captured under a deed of gift, temporary custody receipt, or loan agreement generally fall under this policy.

As an exception, this policy does not apply to materials that have cultural heritage value to Indigenous peoples.

DEFINITIONS

Abandoned Property refers to doorstep donations (materials left on Museum of Dufferin property without ownership identity or documented intention for disposition) or unsolicited deliveries. Abandoned Property will not be accompanied by some evidence of previous ownership record or information as to the object/archival record of arrival on County of Dufferin property.

Found in Collection (FIC) refers to materials that are undocumented property that remain so after all attempts to reconcile them into another classification fail.

Long-Term or Old Loans refer to unclaimed materials left at the Museum of Dufferin with some form of documentation or evidence showing they were intended as temporary deposits or loans. These materials were left by individuals—known or unknown—for specific or indefinite periods. The owners can no longer be contacted, have been out of touch for a significant time, or are traceable but have not assisted in retrieving the materials or completing a formal donation. This also includes indefinite loans that the Museum of Dufferin now wishes to return.

Successful Contact Date (SCD) means a date on which the Museum of Dufferin attempted to contact the object/archival record's owner or suspected owner by way of contact information and received a response in a reasonable time thereafter.

Undocumented Property refers to materials that do not have locatable records or documentation that might connect them to Gift, Long Term Loan/Old Loan, or Abandoned Property categories. While property may begin its journey as Undocumented Property, it will eventually be sorted into another category. The goal for Undocumented Property is to gain information on the source of the object/archival record and its ownership status.

Museum of Dufferin Staff shall make a recorded effort to reconcile Undocumented Property with any documentation on file including but not limited to examining the materials for identifying numbers, conducting an inventory of other materials that may provide relevant information, review of written records, interviewing staff with knowledge of the property, etc. Undocumented Property should be tracked from the time of discovery and the reconciliation process recorded.

Unresponsive Contact Date (UCD) means a date on which the Museum of Dufferin attempted to contact the previous owner but did not receive a response in a reasonable time thereafter.

PROCEDURES

General

No provincial legislation within Ontario addresses unclaimed personal or abandoned property. In developing this policy, staff reviewed current best practices applied by museums and archives operating in Canada and the United States as well as provincial and state acts addressing unclaimed personal and abandoned property.

The Museum of Dufferin (Museum of Dufferin) is owned and operated by the County of Dufferin. The Museum of Dufferin and the County of Dufferin are referred to interchangeably in this policy.

Object Identification

In accordance with standard industry best practices, staff will ensure that objects and archival records brought onto the premises as official donations are properly documented. However, staff recognize that human nature may have resulted in objects/archival records being left unclaimed by their owners, being accepted by staff without documentation, not being properly recorded, or not being processed due to lack of resources.

Gift

If evidence of a gift (i.e. deed of gift, signed letter or tax receipt) is found, staff will apply the original Object ID Number or assign a new one as required. Once the accession/Object ID Number has been applied, Museum of Dufferin will treat the objects/archival record as County of Dufferin (Museum of Dufferin) property and maintain or dispose of the objects/archival records in accordance with the museum's Collection Management Policy.

Record Date/Assigning a Date to Undocumented Property

When undocumented property is discovered, a Museum of Dufferin staff member will record the date it was first known to be in the Museum's possession. This may be based on their own first-hand knowledge, information from another staff member, or documentation that indicates the earliest known date of possession.

Long-Term Loan/Old Loan

If evidence of a Long-Term Loan/Old Loan is found, staff shall use the information available to get in contact with the original lender. Staff will make a reasonable, good-

faith effort to find the contact information of the suspected lender or their heirs before the ownership of the object/archival record is converted.

A record shall be kept of all contact attempts – and the SCD and UCD's of contact attempts along with copies of the correspondence (if applicable). Evidence may be in the form of a letter of understanding, email exchange, or staff notes kept about phone call attempts.

When communicating to the suspected lender or owner, the message communicated shall be:

that the suspected lender or owner has six (6) months to (prove ownership of the item - if applicable and) remove the item OR enter into a current agreement with Museum of Dufferin. If the suspected lender or owner fails to do so, the object/archival record will irrevocably become the property of the County (Museum of Dufferin) and may be maintained or disposed of.

Museum of Dufferin staff should aim to notify the previous owner that, unless they take action, the County of Dufferin (Museum of Dufferin) intends to claim ownership of the loaned item and will either retain or dispose of it as appropriate.

If the lender is successfully contacted and would like to make the loan into an official donation, the item(s) will be considered a new offer of donation. The item(s) will undergo the same steps as any new donation offer as outlined in the Collections Management Policy.

Accession of the Long-Term Loan/Old Loan

If communication is unsuccessful and the issue is not resolved, and any notice period in the communications under this policy have elapsed and:

a) The terms of the long-term loan/old loan that convert ownership to County of Dufferin (Museum of Dufferin) have been satisfied;

or

b) The object/archival record has been in the possession of Museum of Dufferin for a period of at least 5 years since the Record Date. The ownership may be updated/converted to County of Dufferin (Museum of Dufferin) property.

Once converted to County of Dufferin (Museum of Dufferin) property, the items will not be returned to the previous owner upon their request. If it is determined the item will be deaccessioned from the collection, Museum of Dufferin Staff will follow deaccession

procedures as outlined in the Collection Management Policy.

Abandoned Property

Abandoned Property can reasonably be interpreted as being provided as an offer of donation. Such property will be treated as the presumed property of the County of Dufferin (Museum of Dufferin).

For unwanted materials mailed to the Museum of Dufferin with a known depositor and a return address, Staff will return the materials by mail to the depositor. The County of Dufferin (Museum of Dufferin) will not accept liability for damage incurred during transport or for lost or stolen packages.

For materials with an unknown depositor and no contact information, staff will wait 90 days for contact from the depositor before treating the property as an unrestricted gift.

Property deemed unsuitable for the collection will be deaccessioned or disposed of in accordance with the Collections Management Policy. Where contact information exists, but the depositor is unknown, staff shall make a good faith effort to contact the lender or owner of the object/archival record. A record shall be made of all contact attempts (SCDs & UCDs).

The message communicated shall be:

- a. Wanted items: That the depositor has 90 days to enter into a Deed of Gift or remove the object/archival record from Museum of Dufferin's premises from the stated UCD/SCD. If the suspected lender fails to remove the object/archival record, it will become the unrestricted property of the County (Museum of Dufferin).
- b. Unwanted items: That the abandoner has 90 days to remove the object/archival record from Museum of Dufferin's premises from the stated UCD/SCF. If the suspected lender fails to remove the object/archival record, it will become the unrestricted property of the County of Dufferin (Museum) and may be disposed of. Following the 90-day notice period the ownership may be updated/converted to reflect its status as County of Dufferin (Museum) property. Once converted, the items will not be returned to the previous owner upon their request. Property deemed unsuitable for the collection will be deaccessioned or disposed of in accordance with the Collections Management Policy.

Found in Collection

Found in Collection materials may come from a variety of sources for a variety of

reasons including but not limited to a pending donation, exhibition, fundraising auction, etc.

In the absence of evidence that any other party owns them or documentation establishing their origin or status, these materials are presumed to be the property of the County (Museum). The Record Date will be established and documented. These objects shall be recorded on the accessions form as "Found in Collection" and be processed according to Museum practice.

These objects/archival records will be accessioned and cared for as County of Dufferin (Museum of Dufferin) property until such time as:

- a. The object/archival record will be cared for at the Museum for a period of five (5) years or more from the Record Date.
- b. If during that five (5) year period, a claimant comes forth and provides satisfactory proof of ownership, the object/archival record will be turned over to that owner.
- c. If following the update/conversion to County of Dufferin (Museum of Dufferin) property, a claimant comes forth, the object/archival record will not be turned over to the claimant. Found materials that have been in Museum of Dufferin's care for five (5) years following the Record Date will be assumed into the permanent collection through the acquisition process without the burden of proof of ownership. All FIC materials should be accessioned into the collection and ownership updated/converted to County of Dufferin (Museum of Dufferin) property. The Curator or Archivist shall decide whether these object/archival records will be made part of the collection or will be recommended for deaccession in accordance with the Collections Management Policy.

Disposition of Property with Abandoned Property Policy Provenance

The chosen disposition method should consider the risk inherent in dealing with FIC, Long-Term Loan/Old Loan and Abandoned Property materials. Legal consultation may be sought prior to deaccession or disposal. Object/archival records processed through this policy may be disposed of by transfer to public institutions or sold to the general public.

Time Restrictions

Objects/archival records processed through the Old Loan, Abandoned Property, or Found in Collection procedures should not be disposed of until:

- a. In the case of Old Loans, one year after the object/archival record's ownership

was updated/converted to County of Dufferin (Museum) property.

- b. In the case of Abandoned Property, one year after the object/archival record's ownership was updated/converted to County property.
- c. In the case of Found in Collection, five years after the object/archival record's ownership was updated/converted to County (Museum of Dufferin) property.

Disclosure of Provenance

The accepting party during the disposal of object/archival record must be informed that the materials are subject to an imperfect title, and that in taking the materials, it assumes the associated risk. An example may be if the Museum of Dufferin wishes to transfer an item to another museum.

Exceptional Item

While staff are trusted with the management of object/archival records with significant heritage and cultural value to Dufferin, from a purely financial perspective, prior to disposing of object/archival records valued at \$10,000 or more staff may wish to consult with legal for advice.

Review

This policy will be reviewed every five (5) years to ensure its alignment with relevant laws and organizational strategies. The Museum will present reports to Dufferin County Council regarding any proposed changes or amendments to this Policy.