

U.S. Bankruptcy Court
District of Minnesota

Instructions for Filing Application for Payment of Unclaimed Funds

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

I. Searching Unclaimed Funds

To search unclaimed funds, use the [Unclaimed Funds Locator](https://ucf.uscourts.gov) at [https://ucf.uscourts.gov/](https://ucf.uscourts.gov). Select Minnesota Bankruptcy Court from the dropdown list and enter the applicable search criteria. If you need access to a computer to perform the search, you may use the court's public computer terminal(s) located at the Diana E. Murphy United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 or at the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, MN 55101. Additionally, you may submit questions related to Unclaimed Funds via email message to MNB_Unclaimed_Funds@mn.uscourts.gov.

II. Filing Requirements for Payment of Unclaimed Funds

A. Application for Payment of Unclaimed Funds

Any party who seeks the payment of unclaimed funds must file an [Application for Payment of Unclaimed Funds \(Form B 1340\)](#) as modified for use in the District of Minnesota) accompanied by a [Certificate of Service](#) indicating that a copy of the application was served on the United States Attorney for the District of Minnesota. 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.

In the case of **refunds** for joint debtors, both debtors' names must be listed at the top of the Application form and both debtors must have their signature notarized in Sections 5 and 6 of the Application Form, but only

one name may be listed in the “Claimant” field in Section 1. If the debtors are no longer married, they may elect to file separate Application forms and split the refund amount between two Applications. Note, the Court may request additional information in order to confirm the distribution of funds, (*e.g.*, Divorce Decree).

In the case of **Applications** made by joint claimants, both claimants’ must have their signature notarized in Sections 5 and 6 of the Application Form, but only one name may be listed in the “Claimant” field in Section 1. If the claimants are no longer married or jointly conducting business, they may elect to file separate Application forms and split the claimed amount between two Applications. Note, the Court may request additional information in order to confirm the distribution of funds, (*e.g.*, Divorce Decree, business ownership records filed by with the Secretary of State’s Office, etc.).

Applicants who need assistance with determining the amount of funds deposited with the Court, the date of the deposit, or the name and address where the funds were originally mailed can request this information by sending an email message that includes the applicable case number and name of original claimant to MNB_Unclaimed_Funds@mn.uscourts.gov

B. Payee Tax Identification Information

If the Application for Payment of Unclaimed Funds is granted, payment will be made to the Claimant(s). The Claimant’s tax identification number (TIN) must be provided to the court on the appropriate form signed by the Claimant(s) to whom funds are being distributed.

1. Domestic Claimant

A Claimant who is a U.S. citizen or resident must use either the [AO-213P](#) or [W-9](#) form (Request for Taxpayer Identification Number and Certification). If a Claimant wishes to receive payment via Electronic Funds Transfer (EFT), then the [AO-213P](#) form must be used. For Joint Claimants, each Claimant must jointly sign the [AO-213P](#) or submit a [W-9](#) form for each Claimant.

Failure to submit completed forms with signatures for all Claimants will result in processing and payment delays.

2. Foreign Claimant

A foreign Claimant must use a [W-8](#) certification form accompanied by the [AO-215](#) form.

3. Funds Locators

If an Application filed by a third-party funds locator is granted, payment will be made to the funds locator “as assignee” if authorized by a power of attorney. The Court will issue a payment payable to the third-party funds locator/assignee and the “Comments to Print” will include the case number and the name of the original claimant.

C. Additional Supporting Documentation

Requirements for additional supporting documentation vary depending on the type of Applicant/Claimant and whether the Applicant/Claimant is represented by an attorney. Please read the instructions below to identify what must accompany your Application for Payment of Unclaimed Funds.

Sufficient documentation must be provided to the Court to establish the Applicant/Claimant’s identity and entitlement to the funds. Proof of identity must be provided in unredacted form with a current address. If there are multiple Applicants/Claimants, then supporting documentation must be provided for each Applicants/Claimants.

Any supporting documentation that is not written in English must be accompanied by certified English translation. The certification must include a statement indicating that the translator is competent to translate the document and that the translation is true and accurate to the best of the translator’s abilities.

1. Owner of Record

The Owner of Record is the original payee entitled to the funds appearing on the records of the Court. If the Applicant/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). Note, the Court prefers a color copy of the proof of identity. If an unclear black and white copy of the proof of identity is submitted, the Court may return the documentation with a request for a clearer or color version of the document resulting in delays for processing and payment; and
- b. A notarized signature on the [Application for Payment of Unclaimed Funds \(Form B 1340\)](#) as modified for use in the District of Minnesota). Note, the Notary must be registered in the same state as the state where the Applicant's address is located. If the Notary is registered in a different state, then a statement, signed by both the applicant and the notary, explaining how the Notary accomplished an in-person meeting with the signing person. Failure to follow the notary requirements as outlined will result in the Court returning the Application and delay processing and payment.

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 signature on the [Application for Payment of Unclaimed Funds \(Form B 1340\)](#) as modified for use in the District of Minnesota). Note, the Notary must be registered in the same state as the state where the Applicant's address is located. If the Notary is registered in a different state, then a statement, signed by both the applicant and the notary, explaining how the Notary accomplished an in-person meeting with the signing person. Failure to follow the notary requirements as outlined will result in the Court returning the Application and delay processing and payment;
- 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). Note, the Court prefers a color copy of the proof of identity. If an unclear black and white copy of the proof of identity is submitted, the Court may return the documentation with a request for a clearer or color version of the document resulting in delays for processing and payment;

- d. [Declaration of Authority Form](#) that includes the following information:
 - The Applicant's full name, job title, and contact information.
 - A description of the Applicant's employment status and position at the business or government entity.
 - A statement that the Applicant has authority to file the Application on behalf of the business or government entity.
 - The name and contact information for the Applicant's manager.
- e. 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 (*e.g.*, press release, documentation of merger or acquisition, documentation of business name change filed with the Secretary of State's Office; and
- f. For businesses only, a completed [Statement of Corporate Ownership](#).

2. 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). Note, the Court prefers a color copy of the proof of identity. If an unclear black and white copy of the proof of identity is submitted, the Court may return the documentation with a request for a clearer or color version of the document resulting in delays for processing and payment;
 - b. A notarized signature of the successor Claimant on the [Application for Payment of Unclaimed Funds \(Form B 1340\)](#) as modified for use in the District of Minnesota); and
 - c. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.
- ii. Successor Claimant – Business or Government Entity**
- a. Application must be signed by an authorized representative for and on behalf of the successor entity. The [Application for Payment of Unclaimed Funds \(Form B 1340\)](#) as modified for use in the District of Minnesota) must be notarized. Note, the Notary must be registered in the same state as the state where the Applicant's address is located. If the Notary is registered in a different state, then a statement explaining how the Notary accomplished an in-person meeting with the signing person. Failure to follow the notary requirements as outlined will result in the Court returning the Application and delay processing and payment;
 - b. A notarized power of attorney signed by an authorized representative of the successor entity. Note, the Notary must be registered in the same state as the state where the Applicant's address is located. If the Notary is registered in a different state, then a statement, signed by both the applicant and the notary, explaining how the Notary accomplished an in-person meeting with the signing person. Failure to follow the notary requirements as outlined will result in the Court returning the Application and delay processing and payment;
 - 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). Note, the Court prefers a color copy of the proof of identity. If an unclear black and white copy of the proof of identity is submitted, the Court may return the documentation with a request for a clearer or color version of the document resulting in delays for processing and payment;

- d. [Declaration of Authority Form](#) that includes the following information:
 - The Applicant's full name, job title, and contact information.
 - A description of the Applicant's employment status and position at the business or government entity.
 - A statement that the Applicant has authority to file the Application on behalf of the business or government entity.
 - The name and contact information for the Applicant's manager;
- e. For businesses only, a completed [Statement of Corporate Ownership](#); and
- f. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

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). Note, the Court prefers a color copy of the proof of identity. If an unclear black and white copy of the proof of identity is submitted, the Court may return the documentation with a request for a clearer or color version of the document resulting in delays for processing and payment;
- 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); and

- c. Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

B. Claimant Representative

If the Applicant is Claimant's attorney 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). Note, the Court prefers a color copy of the proof of identity. If an unclear black and white copy of the proof of identity is submitted, the Court may return the documentation with a request for a clearer or color version of the document resulting in delays for processing and payment;
- b. A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting. Note, the Notary must be registered in the same state as the state where the Applicant's address is located. If the Notary is registered in a different state, then a statement, signed by both the applicant and the notary, explaining how the Notary accomplished an in-person meeting with the signing person. Failure to follow the notary requirements as outlined will result in the Court returning the Application and delay processing and payment; and
- c. Documentation sufficient to establish the Claimant's identity and entitlement to the funds, as set forth above.

d. Filing the Application

The Application, original versions of required supporting documentation, and Certificate of Service for the U.S. Attorney's Office must be mailed to the Court at the following address:

United States Bankruptcy Court
District of Minnesota
301 Diana E. Murphy United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415

A copy of the application and supporting documentation must be served on the United States Attorney for the District of Minnesota at the following address:

Office of the United States Attorney
District of Minnesota
300 South Fourth Street, Suite 600
Minneapolis, MN 55415

Please review the appropriate Documentation Checklist before mailing documentation to the Court and the U.S. Attorney's Office.

Documentation Checklists

- [Unclaimed Funds Checklist - Domestic Non-Business Non-Gov.pdf](#)
- [Unclaimed Funds Checklist - Domestic Business-Gov -
Non Individual Successor.pdf](#)
- [Unclaimed Funds Checklist - Foreign Non-Business Non-Gov.pdf](#)
- [Unclaimed Funds Checklist - Foreign Business-Gov -
Non Individual Successor.pdf](#)
- [Unclaimed Funds Checklist - Third Party Funds Locator.pdf](#)