The templates and lists on the following pages were developed by Oregon State Marine Board staff in the Spring of 2020 to assist enforcement agency personnel in the proper response to abandoned and derelict vessels (ADVs). They are included as appendices in the ADV Response Manual for Enforcement Agencies but are provided here for ease of copying/pasting the example language to provide the framework for a new letter if desired. You are not required to use these templates, and you may write your notice letters from scratch. These are just intended to be helpful.

When using these templates, please be sure to proofread prior to sending to ensure the information in the letter is correct and pertains to your case and not the made-up example!

If you have any questions, do not hesitate to contact Marine Board staff for guidance.

*Appendix C: Preseizure notice template for abandoned vessels – (delete this line before sending)*

CERTIFIED MAIL \*Print on Enforcement Agency Letterhead with address\* 0000-0000-0000-0000 First Class Mail

February 1, 2020

Owner Name Owner Address Owner Address

Re: NOTICE OF PROPOSED SEIZURE OF VESSEL OR 123 ABC

Dear Owner:

A 1984 Bayliner sailing vessel, 27’ in length, with registration number OR 123 ABC has been at anchor on the Willamette River in Marion County, OR since January 1, 2020. The Enforcement Agency proposes to seize the vessel by reason of it meeting the statutory definition of an “abandoned vessel” due to being left without authorization on waters of this state.

(Photo of abandoned vessel if possible)

Oregon State Marine Board records indicate you are the owner of this vessel. As the owner, you are responsible for moving the vessel to a location where it can be lawfully kept. If you fail to move the vessel prior to the date specified in this notice, the Enforcement Agency will be authorized to seize the vessel. Furthermore, you may be cited for failure to remove an abandoned vessel. If the vessel is seized, you will be liable for the costs of salvage, towing, and storage of the vessel. If the costs of salvage, towing, and storage are not paid, the vessel may be destroyed or sold, and you will remain liable for unpaid costs.

 To prevent the seizure of your vessel and possible citation for failure to remove an abandoned vessel, you must move the vessel to a location where it can be lawfully kept prior to the following date and time: **5:00PM February 15, 2020**

You have the right to request a hearing to challenge the seizure of the vessel. If you wish to request a hearing, you must submit your request in writing to the Enforcement Agency prior to the deadline given above. You must indicate the specific grounds on which the seizure of the vessel is challenged.

If you have questions, please contact Deputy Bob Smith at 503-555-0000 or bsmith@emailaddress.com.

Sincerely,

Bob Smith, Deputy Sheriff

CC: ADV Program Coordinator, Oregon State Marine Board

*Appendix D: Preseizure notice template for derelict vessels – Delete this line before sending*

CERTIFIED MAIL \*Print on Enforcement Agency Letterhead with address\* 0000-0000-0000-0000 First Class Mail

February 1, 2020

Owner Name Owner Address Owner Address

Re: NOTICE OF PROPOSED SEIZURE OF VESSEL OR 000 XYZ

Dear Owner:

A 1972 Coronado sailing vessel, 25’ in length, with registration number OR 000 XYZ was observed capsized and partially sunk in the Willamette River in Marion County, OR on January 31, 2020. The Enforcement Agency proposes to seize the vessel by reason of it meeting the statutory definition of a “derelict vessel” due to being sunk or in imminent danger of sinking.

(Photo of derelict vessel if possible)

Oregon State Marine Board records indicate you are the owner of this vessel. As the owner, it is your responsibility to remedy the problem. If you fail remedy the problem or remove the vessel prior to the date specified in this notice, the Enforcement Agency will be authorized to seize the vessel. Furthermore, you may be cited for failure to remove a derelict vessel. If the vessel is seized, you will be liable for the costs of salvage, towing, and storage of the vessel. If the costs of salvage, towing, and storage are not paid, the vessel may be destroyed or sold, and you will remain liable for unpaid costs.

 To prevent the seizure of your vessel and possible citation for failure to remove a derelict vessel, you must remedy the problem or move the vessel to a location where it can be lawfully kept prior to the following date and time:

**5:00PM February 15, 2020**

You have the right to request a hearing to challenge the seizure of the vessel. If you wish to request a hearing, you must submit your request in writing to the Enforcement Agency prior to the deadline given above. You must indicate the specific grounds on which the seizure of the vessel is challenged.

If you have questions, please contact Deputy Bob Smith at 503-555-0000 or bsmith@emailaddress.com.

Sincerely,

Bob Smith, Deputy Sheriff

CC: ADV Program Coordinator, Oregon State Marine Board

*Appendix E: Postseizure notice template for all seized vessels – delete this line before sending*

CERTIFIED MAIL \*Print on Enforcement Agency Letterhead with address\* 0000-0000-0000-0000 First Class Mail

February 17, 2020

Owner Name Owner Address Owner Address

Re: NOTICE OF SEIZURE OF VESSEL OR 000 XYZ

Dear Owner:

A 1972 Coronado sailing vessel, 25’ in length, with registration number OR 000 XYZ was seized by the Enforcement Agency at 9:00 AM February 16, 2020 for being a derelict vessel. At the time of seizure, the vessel contained the following property: dishes, camp stove, toiletries, clothing, and bedding (see attached photos). The Enforcement Agency served preseizure notice to you, the owner, on February 1, 2020. The deadline to prevent the seizure by either remedying the problem or requesting a hearing was 5:00PM February 15, 2020.

Oregon State Marine Board records indicate you are the owner of this vessel. As the owner, you are liable for all costs arising from salvage, towing, and storage. You may immediately reclaim your vessel by presenting proof of ownership and paying the salvage, towing, and storage costs that have accrued so far, which are currently estimated to be approximately $2,400.

To prevent the sale or disposal of the seized vessel and property, you must reclaim the vessel and pay all accrued costs prior to: **5:00PM March 17, 2020**

If you fail to reclaim the vessel prior to the date specified in this notice, the title to the vessel and all property within the vessel will vest with the Enforcement Agency. The vessel will be destroyed or sold, and you will remain liable for unpaid costs. The total cost of salvage, towing, storage, and disposal is estimated to be approximately $3,700, but the final cost could be higher or lower than this estimate.

You have the right to request a hearing to challenge the seizure of the vessel and the reasonableness of costs associated with salvage, towing, and storage. Your request must be submitted in writing to the Enforcement Agency not more than 10 days after the date of this notice. The deadline to request a hearing is: **5:00PM February 27, 2020**

If you have questions, please contact Deputy Bob Smith at 503-555-0000 or bsmith@emailaddress.com.

Sincerely,

Bob Smith, Deputy Sheriff

CC: ADV Program Coordinator, Oregon State Marine Board

***Appendix A: Preseizure notice requirements for abandoned vessels***

* Name, address, and telephone number of the enforcement agency
* A statement indicating that the enforcement agency proposes to seize the vessel by reason of it being an abandoned vessel
* The deadline (date and time) by which the owner must act to prevent the seizure
* A statement indicating that if the vessel is seized, the owner will be liable for the costs of salvage, towing, and storage of the vessel
* A statement indicating that if the vessel is seized the vessel may be destroyed or sold if the costs of salvage, towing, and storage are not paid
* A statement indicating that the owner may request a hearing not more than 10 business days after the preseizure notice is given; include the date and time by which they must submit the request
* A statement indicating that the vessel will be seized unless the owner moves the vessel to a place where it can be lawfully kept prior to the seizure date
* A statement indicating the owner may be cited for failure to remove an abandoned vessel if it is not moved prior to the seizure date

***Appendix B: Preseizure notice requirements for derelict vessels***

* Name, address, and telephone number of the enforcement agency
* A statement indicating that the enforcement agency proposes to seize the vessel by reason of it being a derelict vessel
* The deadline (date and time) by which the owner must act to prevent the seizure
* A statement indicating that if the vessel is seized, the owner will be liable for the costs of salvage, towing, and storage of the vessel
* A statement indicating that if the vessel is seized the vessel may be destroyed or sold if the costs of salvage, towing, and storage are not paid
* A statement indicating that the owner may request a hearing not more than 10 business days after the preseizure notice is given; include the date and time by which they must submit the request
* The reason the enforcement agency believes the vessel is derelict
* A statement indicating that the vessel will be seized unless either the problems identified in the notice are remedied within the time specified in the notice
* A statement indicating the owner may be cited for failure to remove a derelict vessel if the owner fails to remedy the problems identified in the notice within the time specified.