



City of Burlingame



BURLINGAME POLICE DEPARTMENT EMBEZZLED VEHICLE INFORMATION

The Police Department is a **prosecuting agency**. Persons desiring only the return of their vehicle and no prosecution should contact the Civil Courts.

The Police Department will investigate **AND** the District Attorney's Office will prosecute Embezzled Vehicles only under the following circumstances:

1. The vehicle was leased/rented for a specific time period. If there is no specific "RETURN DATE", you must wait 30 days from the date of the rental and an additional FIVE (5) days after a Demand Letter is sent by the Rental Agency before the vehicle can be listed as Embezzled.
2. The vehicle must be leased/rented in Burlingame. If the vehicle was leased or rented in an office other than in Burlingame, the loss must be reported in that city (Le. If the vehicle was rented at a Rental Agency in San Francisco, the reporting party must report the loss to San Francisco Police Department).
3. The reporting party must check to make certain that the vehicle has not been returned to another office. This includes the fact that the Renting Party has not called the Rental Company and had the contact "*Verbally Extended*" or the Renting Party has not told the Rental Company the location of the vehicle so it can be picked up.
4. The money or credit put up by the Renting Party (if any) has been completely used up by the rental fees accrued.
5. The contract has to be expired for a minimum of FIVE (5) days.

REQUIRED DOCUMENTATION

Prior to accepting an Embezzled Vehicle Report for a Police Investigation and subsequent Criminal Prosecution, the following items must be submitted to the Police Department:

1. **Original Rental/Lease Contract:** If the original contract is not available, an explanation as to why the original is not available must be included with a copy. Included with the contract must be:
 - The full information available on the person who rented the vehicle.
 - The full information available on any additional drivers listed on the contract.
 - The complete identifying information on the Rental Agent (employee) who handled the transaction.
 - The complete identifying information on witnesses (additional employees) and what they knew about the transaction.



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2. Demand Letter: A letter of "Demand for the Return of the Vehicle" must have been sent to the Lessor by:
 - 1) Certified/Registered Mail
 - and
 - 2) Regular Mail

A copy of the letter and the "Return Receipt" must be provided to the Police. The Demand Letter should be sent to all known addresses for the Lessor. **If** the Demand Letter is returned "Unclaimed", the returned letter and envelope must be provided to the Police.

3. Notes of Attempts to Contact: The Rental Company (victim) must also have attempted to contact the Lessor by phone or in person. All results of such attempts, or the actual contacts, must be documented in writing and provided to the Police. For example, the date and time, and how the contacts were attempted with the results. Negative contacts (Le. disconnected or wrong phone numbers) are just as important.
4. Written Statement: A written statement from the Rental Agent who handled the transaction on the circumstances surrounding the Rental/Lease of the vehicle. Included in the statement, are details about statements made and identification used by the suspect.
5. Request for embezzled Vehicle Complaint: The Rental Agent who handled the Rental Transaction must complete the Burlingame Police "Request for Embezzled Vehicle Complaint" form, which is attached to this packet.

INFORMATION ON GRAND THEFT VEHICLE – PC 487.3

If it can be proven that the Renting Party used a fraudulent identification (name, address, driver's license, etc. and the vehicle has not been returned, the crime is classified as **GRAND THEFT AUTO**.

All of the procedures and document collection followed with an **EMBEZZLED VEHICLE** investigation should be provided to the Police.

The Renting Company should still send out "*Demand Letters*" (unless it can be clearly proven that the vehicle was rented with fraudulent identification).

I understand the above requirements for the investigation and prosecution of Embezzled Vehicles and Grand Theft Auto offenses and will comply with the guidelines set down by the Burlingame Police Department, and the San Mateo County District Attorney's Office.

Name: _____ Date: _____ Event #: _____

Signature: _____



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BURLINGAME POLICE DEPARTMENT **Request for Embezzled Vehicle Complaint**

The Employee who leased the vehicle and conducted the actual business transaction will fill out the following information:

Name of Employee: _____ Date of Report: _____

DESCRIPTION OF SUSPECT

Name of Suspect: _____ Race: _____ Sex: _____ Age: _____

Physical Characteristics (scars, glasses, dress, accent, beard, etc): _____

Residence Address: _____ Phone: _____

Place of Employment: _____ Phone: _____

METHOD USED BY SUSPECT

Lost or Stolen Credit Card () Check: NSF Check () Stolen () Other: _____

IDENTIFICATION USED BY SUSPECT

Credit Card #: _____ Company: _____

Driver's License: _____ State: _____ Other (describe): _____

Was the Lessor previously known to your company? If yes, describe: _____

Did you compare identification with the suspect (signature, photo, description and address): _____

Can the Lessor be identified: If the Lessor was not along, describe others accompanying him/her – use reverse if needed: _____

RECOVERY EFFORTS BY REPORTING PARTY

Demand Letters Sent (list dates sent and attach copies): _____

Other attempts to contact (list dates and describe - with results, if any): _____

It is agreed by the below signed that (s)he will cooperate with the Burlingame Police Department in the event on any arrest, which may arise from listing the above described vehicle as EMBEZZLED, and it is further agreed that payment or restitution for use of said vehicle will not be accepted, except as directed by the Court.

Signature: _____ Date: _____