



**OFFICE OF DISTRICT ATTORNEY  
EAU CLAIRE COUNTY, WISCONSIN  
PETER J. RINDAL, DISTRICT ATTORNEY  
ANGELA L. BERANEK, DEPUTY DISTRICT ATTORNEY**



***POLICY ON THEFT OF RENTAL PROPERTY***

1. The District Attorney's Office will only accept theft of rental property referrals that have, prior to renting the property, a written rental agreement signed by all parties.
2. The District Attorney's Office will only process theft of rental property referrals that have proper ID taken. Proper ID means a Driver License or State Issued Identification Card number is recorded. The state of issuance and the expiration date of the ID must also be recorded.
3. The District Attorney's Office will only accept theft of rental property referrals in which the specific employee who signed the rental agreement is identified. Specific identification includes the full name of the employee and substantiating information such as a clock or register number, the employees initials, name, or other identifying information on or accompanying the rental agreement. When available, video surveillance of the transaction should be submitted with any theft of rental property referral.
4. The District Attorney's Office will only accept in-state rentals. Out-of-state rentals are accepted at your own risk.
5. The District Attorney's Office will only accept theft of rental property referrals if the responses to all of the following statements is "yes."
  - a. Prior to renting the property, a written rental agreement was drafted and signed by all parties.
  - b. The signed, written rental agreement included a specific, finite term of rental period.
  - c. A letter demanding return of the rental property was sent by certified mail to the renter.
6. If, after a theft of rental property referral is made to the District Attorney's Office, you receive payment for or the rental property is returned, immediately inform the District Attorney's Office.
7. If, after a theft of rental property referral is made to the District Attorney's Office, the renter contacts you for any reason other than to arrange for payment for or return of the rental property, advise the individual that a theft of rental property referral was made to the District Attorney and they need to contact the District Attorney's Office for further information.
8. By referring a theft of rental property case to the District Attorney's Office for processing, you are required and agree to comply with the above listed policies and follow the Theft of Rental Property Referral Procedure. If you are unable or do not wish to comply with these policies, the District Attorney's Office will not be able to process your theft of rental property referral.

Revised: 11/05/2021

**ASSISTANT DISTRICT ATTORNEYS**

Kelly Ronquist | Crystal Jensen | Angela L. Beranek | Andrew J. Gunderson  
Afton B. Lewis | Robert Stoiber | Tiffany M. Winter | Sean E. Froelich | Emmeline Lee

# **POLICY AND PROCEDURE FOR THEFT OF RENTAL PROPERTY**

EAU CLAIRE COUNTY DISTRICT ATTORNEY'S OFFICE

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## ***THEFT OF RENTAL PROPERTY REFERRAL PROCEDURE***

The following procedure must be followed in order to ensure timely and successful processing of your theft of rental property referral to the District Attorney's Office. All of the forms and information referenced in this procedure are available on the District Attorney's website. You may also request a copy of the forms and information by contacting the District Attorney's Office.

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*After you determine a theft of rental property case exists:*

1. A letter demanding return of the rental property must be sent by certified mail to the renter.
  - a. The letter should be similar to the "Demand For Return of Rental Property" letter the District Attorney's Office has published on the District Attorney's website. Retain a copy of the letter you send for your records. The receipt from the certified mail must be submitted with the referral to the District Attorney's Office.
  - b. If the rental property is not returned to you within 10 days of the demand letter, you may refer the theft of rental property case to the District Attorney's Office by submitting the following to the District Attorney's Office:
    - i. Copy of the signed rental agreement.
    - ii. Copy of the demand letter sent and certified mail receipt.
    - iii. Completed "Theft of Rental Property Fact Sheet" published on the District Attorney's website.

*After the theft of rental property referral is received by the District Attorney's Office:*

1. A letter demanding immediate payment for or return of the rental property will be sent from the District Attorney to the renter.
  - a. Any payment made for the rental property will be forwarded to you.
  - b. If the renter wishes to return the rental property, the renter will be instructed to make arrangements with you to return the property. After the rental property is returned to you, immediately inform the District Attorney's Office.
  - c. If neither payment made nor rental property returned, the District Attorney may issue criminal charges. Additional information will be provided to you in the event that criminal charges are issued.

**Note:** You should never advise the renter that criminal charges will be dropped. This decision can only be made by the District Attorney.