



Assembly Committee on Criminal Justice Assembly Bill 653 – Personal Property in Repossessed Vehicle

Chairman Kleefisch, committee members. Thank you for the opportunity to submit testimony on Assembly Bill 653, relating to personal property within a repossessed motor vehicle.

I introduced this bill because of what a young working family had to go through in the hands of a repossession company. People working for this company, on orders of Wells Fargo Bank came to the place of business of the young lady and mother of two young children. They took her car unknowingly while she was at work and at the end of her work day when she was leaving for home she came out to find an empty parking space.

In a panic she contacted her husband who was at his place at work. They had made a payment of \$1200 of the \$1500 they were behind 3 days before their car was taken. The bank was going to call the repossession company after they made the \$1200 payment to stop the process, but they never made the call.

Inside the car was the woman's purse which had her ID, credit cards, and money. Also in the car was the children's car seats and numerous other valuable items. She now had no Driver's License, had to void credit cards, and had to find car seats so she could transport her children.

Through numerous phone calls they found out that the car had been taken to a Kenosha place of business.

The husband contacted the bank to get the personal items back, but because the bank was slow to respond the car was taken to the action yard in Chicago and no inventory was taken of the personal items in the car.

They had to get appointment to get their personal items back and two weeks later they got the car and 3 garbage bags of their belongings. They had to pay an additional \$4000 towards the principal and late fees, plus \$350 for towing charges, and \$40 for storage. They both had to take a day off of work to make the trip from Sturgeon Bay to Kenosha to get their belongings and then to Chicago to get their car. This ordeal took a big toll on this young family who were already struggling to pay their bills.

I understand that this couple made a commitment to pay their bills and they were aware of the consequences for not paying. However, I think there can be a better practice in place for when the bank takes possession of a vehicle.

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Under this bill, when a vehicle is repossessed, the person (merchant) who repossesses the vehicle must make a written inventory of all personal items in the car and return the personal items to the owner within 48 hours. The merchant must also safeguard the personal items and turn them over in as good of a condition as they were found. Failure to do turn them over within 48 hours would result in a Class A misdemeanor.

Once again thank you for the opportunity to testify on Assembly Bill 653. I am happy to answer any questions you may have.