

## Transfer of Ownership of UAB Property

All UAB property is considered by the State of Alabama to be State property. UAB is therefore limited in terms of giving away UAB property (known at UAB as "transferring ownership" of UAB property) to other institutions.

"UAB property" includes: capital and noncapital items purchased, in total or in part, out of UAB funds; items donated to UAB; items transferred to UAB with grants/contracts; or any property for which ownership is otherwise transferred to UAB. This includes purchases out of federal or nonfederal grant/contract accounts. This applies to all UAB property, both University and Hospital.

**The State of Alabama only permits UAB to transfer title to State property when we are legally required to do so.** Such a transfer is usually associated with a UAB faculty member resigning from UAB to take a job at another university. Therefore, the remainder of this narrative will assume that is the reason the transfer of ownership is being requested. In other cases though, the principles and procedures are fundamentally the same. This narrative also assumes that the UAB property in question is physically located at the main UAB campus; however, if that is not the case, the principles and procedures would be the same except the off-campus location should be disclosed for each applicable item on the list.

When a transfer is associated with a UAB faculty member resigning from UAB to take a job at the other institution, UAB is only permitted to transfer ownership of property to the new employer when we can establish that:

- (1) the property was purchased *exclusively* by a grant;
- (2) that particular grant is still *active*;
- (3) that grant agreement legally *requires* us to relinquish title to the property; and
- (4) the sponsor is legally transferring that particular *grant* to the other institution.

No UAB property may be physically removed from UAB for transfer of ownership without an official UAB authorization letter from Ruwaldt Viljoen in UAB Financial Affairs approving transfer of that item. Also, since this UAB Financial Affairs' authorization is subject to the associated grants also being relinquished, then that requirement must also be met before the UAB property is removed from UAB. The State Examiners and the State Attorney General offices have consistently taken the position that failure to comply with this requirement may result in legal prosecution of the departing faculty member for misappropriation or theft of State property. Faculty members and administrators therefore should be extremely cautious in supervising the packing and moving of UAB property.

### [Requesting Approval To Transfer Property:](#)

A request for release of ownership should be initiated early enough to obtain all approvals well before the proposed move is scheduled. This process can become quite complicated and lengthy, particularly if a large number of items are involved or if purchase information is

not readily available. Experience suggests that these requests should be initiated at least a full month in advance of the date the actual physical move is scheduled to occur.

The property can only be transferred to the institution receiving the associated grant , never to the individual PI .

An item cannot be considered for transfer if the item cannot be specifically identified or its purchase accounts cannot be identified, because the legal case for transfer cannot be properly documented. Improper or insufficient identification of property requested for transfer can significantly delay the process.

To initiate a request for legal authorization to transfer ownership of UAB property to another institution, the department should complete an Equipment Disposition Form and indicate that this is a request for "Release of Ownership" to the designated future owner institution. This form should be used for all capital and noncapital property items, including supplies or other property. The department should also indicate (somewhere on the front of the form, or in an attached cover letter) which grants are going to be transferred and the intended grant transfer date.

The Equipment Disposition form should include the description, property tag number, serial number, and current building/room location for each item. If the item does not have a UAB property tag on it, the department will need to note the applicable purchase order number on the form and will also need to attach a copy of the purchase order (with the item clearly identified on it). Copies of purchase orders may be obtained from UAB Purchasing Services. If the item was purchased on a blanket purchase order, then it will also be necessary to provide a copy of the applicable vendor invoices. Copies of vendor invoices may be obtained from UAB Accounts Payable.

As for any equipment transfer transaction, the Equipment Disposition Form should be signed by the Accountable Equipment Officer(s) for the listed equipment items. Because this is a Release of Ownership request, the signature of the applicable department head and the applicable dean is also required (either on the form itself or on a cover memo attached to it) indicating their concurrence with the *request* for Ruwaldt Viljoen's approval. The signature of the department head and dean only authorizes the request, and does not authorize the transfer itself. [If the dean's signoff is not submitted with the request to UAB Financial Affairs, then the departing faculty member will need to obtain the dean's approval after receiving his/her copy of Ruwaldt Viljoen's letter.]

After the form is completed, it should then be sent to Asset Management, where the request begins its Financial Affairs review. Once the Financial Affairs review is complete, Ruwaldt Viljoen will issue an official letter to the departing faculty member (and copying the applicable UAB dean, dean's fiscal officer, department chair, department fiscal officer, Office of Grants & Contracts Administration, Grants & Contracts Accounting Department, and Equipment Accounting Office), specifically identifying those items which are approved for transfer. The would usually also describe the specific reasons that the other items were not approved.

The departing faculty member should keep Ruwaldt Viljoen's official authorization letter in their personal records, in case s/he should need it later to resolve legal or regulatory issues which may arise. Also, the faculty member should give a copy of the letter to the individual(s) supervising the packing of the property items to help ensure that there are no misunderstandings as to which items are authorized to be moved, and also to show to police,

security guards, etc. if questioned. The faculty member should also provide a copy of the authorization letter to the comptroller at his/her new employer institution.

#### [Requesting Grant Relinquishment:](#)

Ruwaldt Viljoen's official authorization letters are always subject to relinquishment of the associated grant to the other institution, and the grant relinquishment process is defined by the Office of Grants & Contracts Administration (OGCA). OGCA has no authority to authorize the transfer of the State property, only to authorize transfer of the grant itself. The grant relinquishment process usually includes completion of a grant relinquishment form, which lists at least the major equipment items being transferred. Therefore, as soon as Ruwaldt Viljoen's official authorization letter is obtained, the PI should submit the grant relinquishment form to OGCA. Only after OGCA's approval to transfer the grant is obtained, may the equipment be transferred to the other institution. If OGCA should ultimately deny transfer of the associated grant to the other institution, then the equipment must not be transferred and OGCA is responsible for promptly notifying both the PI and Ruwaldt Viljoen of the grant transfer denial.

#### [Packing and Moving:](#)

Under no circumstances, should such a UAB property item be removed from campus without first receiving an official written authorization from Ruwaldt Viljoen authorizing the transfer of that specific item.

UAB property items should not be packed prior to receiving official written authorization from Ruwaldt Viljoen. Often, the items have to be inspected to resolve questions concerning the requested transfer or to be inventoried by the department, Asset Management, or auditors prior to transfer.

Reminder: If the faculty member has been using a UAB computer or other UAB property at home, the faculty member should return these items to the UAB campus for departmental inspection prior to moving. The faculty member is personally liable for ensuring that such equipment is not moved unless he/she first has official written authorization from Ruwaldt Viljoen in UAB Financial Affairs.

The cost of moving the property should be borne by the institution which will be receiving ownership of the property, not by UAB. Also, since ownership is considered transferred at the point of shipment, the receiving institution is responsible for insuring the property while it is en route and thereafter.