



November 22, 2023

Fiscal Administrative Procedure Transmittal (FAPMTL) No. 497

TO: Fiscal Administrative Procedure Manual Holders
FROM: Matt Damschroder, Director
SUBJECT: Disposal of Personal Property

As the result of an internal five-year review process, the Ohio Department of Job and Family Services (ODJFS) has amended Administrative Code rule 5101:9-4-15 "Disposal of Personal Property." Minor language changes were made for clarification.

For questions, please contact your ODJFS Fiscal Supervisor or the BCFTA Helpdesk at CFIS_HELP_DESK@jfs.ohio.gov.

Instructions:

Location	Remove	Insert
Chapter 4	5101:9-4-15 (effective 12/10/2018)	5101:9-4-15 (effective 12/1/2023)

5101:9-4-15

Disposal of personal property.

Personal property acquired in whole or in part with federal funds ~~shall be~~ disposed of in compliance with 2 C.F.R. part 200, 7 C.F.R. part 277, 29 C.F.R. part 97, and 45 C.F.R. part 75 and section 307.12 of the Revised Code in accordance with state and local requirements. The most restrictive regulations shall apply.

(A) Unused supplies exceeding five thousand dollars in total aggregate value and/or equipment with a current per unit fair market value in excess of five thousand dollars no longer used for any federal award, may be used on other activities or sold. In either case, the federal government ~~shall be~~ compensated.

(1) The current market value or proceeds from the sale is multiplied by the non-federal entity's percentage of participation in the cost of the original purchase, equals the amount compensated to the federal government.

(2) If equipment or supplies are sold, the non-federal entity may deduct and retain from the federal share five hundred dollars or ten per cent of the proceeds, whichever is less, for its selling and handling expenses.

(B) Unused supplies with a total aggregate value of five thousand dollars or less, or items of equipment with a current per unit fair market value of five thousand dollars or less, may be retained, sold or otherwise disposed of with no further obligation to the federal awarding agency.

(C) For the purpose of this rule, the following definitions apply:

(1) "Personal property" means anything other than real property and includes: supplies, materials, computing devices and equipment.

(2) "Equipment" means tangible personal property having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or five thousand dollars.

(D) The county agency ~~shall notify~~ notifies the board of county commissioners for disposal of personal property when one of the following apply:

(1) The loss of the personal property was claimed for federal financial participation (FFP);

(2) The personal property is not needed by the county agency for public use; or

(3) The personal property is obsolete or unfit for the use for which the county agency acquired it.

- (E) Once the board of county commissioners is notified by the county agency, it is the board's responsibility to dispose of the personal property.
- (F) ~~In accordance with section 307.12 of the Revised Code, when~~ When the board of county commissioners finds, by resolution, that the county has personal property that is not needed for public use or is obsolete or unfit for the use for which it was acquired, disposal options include the following as described in section 307.12 of the Revised Code:
- (1) Personal property that has been determined to have no value may be discarded or salvaged;
 - (2) Personal property with a fair market value under two thousand five hundred dollars, as determined by the board, may be sold by private sale or internet auction, without advertisement or public notification;
 - (3) Personal property with a fair market value over two thousand five hundred dollars, as determined by the board, may be sold at public or internet auction or by sealed bid to the highest bidder; and
 - (4) A vehicle valued at or less than four thousand five hundred dollars may be donated to a nonprofit organization exempt from federal income taxation for the purpose of meeting transportation needs of Ohio works first and/or prevention, retention, and contingency program participants.
 - (5) If the value of the personal property is five thousand dollars or less, the board may lease the personal property to any municipal corporation, township, political subdivision of the state, or a county land reutilization corporation.

Effective: 12/1/2023

CERTIFIED ELECTRONICALLY

Certification

11/21/2023

Date

Promulgated Under: 111.15
Statutory Authority: 5101.02, 307.12
Rule Amplifies: 5101.02, 307.12
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12/10/2018