



Methods and Procedures for Requesting Change of Address and Boxholder Information from the United States Postal Service

By Dean A. Beers, CLI

First, it was free for the asking. Until approximately 15 years ago, obtaining postal address information cost \$2 or \$3 under a standard Freedom of Information Act request. But privacy advocates and events of misuse caused then-Postmaster General Runyon to completely halt the release of any information. Eventually, active campaigning for change led to a set of new policies that allowed the release of postal boxholder and address information for designated uses. Those policies, misunderstood even by postal clerks, enacted a service of process exception and generated a mandatory request form, which we still use today.

There are often questions of how to obtain post office information: forwarding addresses and information on owners of post office boxes, as well as mail drop boxes. First, we must acquaint ourselves with the different postal services that have investigatory value.

These are:

- Change of Address – personal (physical address)
- Change of Address – business (physical address)
- Boxholder Information – personal
- Boxholder Information – business
- Mail Drop Box – change of address and owner information (Commercial Mail Receiving Agencies – CMRA)

It is important to understand that the USPS must deliver all mail as addressed, unless there is a directive from the addressee to do otherwise. Delivery at CMRAs is limited to only those listed on the rental form, as are post office boxes. If mail is addressed to John Doe at a physical address, and he has never lived there or moved five years ago, the mail will still be delivered in the absence of a directive not to. The importance of this will be explained later in the article.

But let's turn our immediate attention to other essentials. Post office boxes

are regulated under the "Domestic Mail Manual (DMM) D900 – Other Delivery Services" (<http://pe.usps.com/archive/html/dmmarchive0810/D910.htm>).

The box customer submits form 1093 (Application for Post Office Box Service) and must keep this information updated. Mail drop boxes are subcontractors of the USPS and are required to follow the same rules. The renter at the private mailbox service completes form 1583 (Application of Delivery of Mail Through Agent), which also must be current. If you're seeking information on a customer of a private mailbox service, it is usually much simpler to request that the responsible Postmaster obtain the requested information, in compliance with DMM D900 and form 1583 verification. The records of a business user of a post office box are still a matter of public record, -- not restricted, as are the records of the personal mailbox holder. Ask to speak to the post office box clerk for this information and procedure.

For personal post office box ownership information and physical address, use the dual-purpose USPS form ("Request For Change Of Address Or Boxholder Information Needed For Service Of Legal Process").* The same form should be used for change of addresses for both a business and a residence at a physical address. The form is basic, but there are a few tweaks that can make it more useful for our purposes. I have done so for nearly 20 years in this current format and, with a few easily cleared up issues due to the clerk's lack of procedural knowledge, have had no problems.

As to the form, first be clear whether you are requesting the new delivery address, or the name and street address for a boxholder. Add to this a request that any new address and/or post office box information be checked for any new change of address or physical address. Do not count on this being done – if you get a new address or post office box, send another request to verify this information. The next item is to add "and all other occupants" to the names - there may be an alias that you are unaware of. That is what I tell USPS - plus it may help to know who else lived there. The next issue is your capacity to request this information – our exception is only as process servers, not as private investigators. Your request must be for the purpose of current or anticipated litigation, and you must have, and cite, the appropriate authority to serve process (i.e. in California, "Exempt B&P 22350(b)").

Next, the form requests a case number (number 5), and it is acceptable to put any appropriate case number (administrative hearing, civil or criminal case, etc. – but not an internal case number). However, a court case filing number may not have been assigned. In that case, "To be filed – pending service" is acceptable. A case number is not required. Let me offer some useful tips that are not on the form, but can (and should) be, and some procedural information.

Contrary to what some USPS clerks still say, these requests are not required to be mailed or hand delivered. They can also be faxed, and it's likely that all post offices have a fax machine. I have not found that any will accept by e-mail. Fax your request, with your own notation to fax back the form and requested information. Yes, they can – there is no policy that they cannot do so or that it must be mailed

back to you. If they try fudging on their own DMM policies, have them produce the actual postal regulation, not a postal station rule, for any of their "that's just the way we do it" rules. I caution this because in my 20 years of using this form, I still run into those issues.

My form has a big bold box with "Time Sensitive for Trial – Please Return by Fax to: (###) ###-####." This is right next to my signature block, and it helps. (They may only fax long distance if you give a toll-free number.) Before faxing, call to confirm that you are sending to the appropriate station or substation and then follow up with a phone call. These requests are famous for getting lost.

Keep in mind that forwarding orders expire after one year (they are on file for two years). Because this is stored for two years, also add to the form "Please check expired files and refer to the carrier if necessary." The latter notation helps because carriers often know things not requested or provided for on the form. As noted at the beginning of this article, mail must be delivered as addressed unless instructed differently - which can only be via a COA form. So, if you try to mail something to an old address, delivery will be attempted - which may be noted on the form returned to you as follows:

- Moved – No Forwarding Address
- Delivered as Addressed [This does not mean it is a current address, see above]
- Forwarding Order Expired [This does tell you they moved at least a year prior.]

Change of Address or Boxholder Request Format - Process Servers (Letterhead Optional)

Postmaster _____ Date _____

City, State, ZIP Code _____

REQUEST FOR CHANGE OF ADDRESS OR BOXHOLDER INFORMATION NEEDED FOR SERVICE OF LEGAL PROCESS

Please furnish the new address or the name and street address (if a boxholder) for the following:
 Name: **JANE DOE and all other occupants**
 Address: _____

Note: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(5)(ii). There is no fee for providing boxholder or change of address information.

- Capacity of requester (e.g., process server, attorney, party representing self): **PROCESS SERVER**
- Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting pro se - except a corporation acting pro se must cite statute): **Exempt B&P 22350(b)**
- The names of all known parties to the litigation:
- The court in which the case has been or will be heard:
- The docket or other identifying number if one has been issued: **To be filed – pending service**
- The capacity in which this individual is to be served (e.g., defendant or witness):

WARNING
 THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in conjunction with actual or prospective litigation.
Time sensitive for trial – Please Return by Fax to: 888-555-1212

Signature _____ Address _____
 Printed Name _____ City, State, ZIP Code _____

POST OFFICE USE ONLY

_____ No change of address order on file. NEW ADDRESS OR BOXHOLDER'S NAME AND STREET ADDRESS POSTMARK
 _____ Moved, left no forwarding address.
 _____ No such address.

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Methods for the USPS continued

Dave Stein, of Inquest Investigations, Northport, NY, compiled the following information in his quest to make these requests really work for our profession.

If the information you receive proves to be false or at least not current, you can write an additional request to the same post office, asking and compelling them to update their records as required by the USPS Domestic Mail Manual. The following contains the pertinent sections of the DMM, allowing you to prepare a simple letter with the relevant sections. The full text of the USPS Domestic Mail Manual is available at:

<http://www.usps.com/publications/manuals/welcome.htm>

Sample Notice To USPS:

I wanted to alert you that the Form 1093 for the above customer is not current. The address information we received was outdated, indicating that the address in your files as submitted on USPS Form 1093 is no longer correct. As you know, the Domestic Mail Manual has remedies for failure to update USPS Form 1093.

DMM Section 508.4.3.a1 states that the applicant must complete all required items on USPS Form 1093 "Furnishing false information on the application ... may be sufficient reason for denial of the application or discontinuance of service."

DMM Section 508.4.3.a4 states that when any information required on USPS Form 1093 changes, the box customer must update the application on file at the post office.

DMM Section 508.4.3.b6 states that when any information on the online application changes, the box customer must update the application on file at the post office.

DMM Section 508.4.3.2 [for verification] states that an application for post office box service may not be approved until the applicant's identity and current permanent physical address where he or she resides or conducts business is verified.

DMM Section 508.4.9.2 [for termination] states that a postmaster may terminate post office box service "... if the box customer falsifies the application for the box ... or refuses to update information on the box application as required."

If the post office cannot help, or you do not have a permissible purpose, there are two other options. One is to contact an agency licensed by the postal service to process National Change of Address (NCOA) updates. This is usually overnight, but requires an input of 100 or more records, with costs starting at \$1 per record (\$100 minimum) per batch request. It is updated daily and is returned overnight. It beats the post office if you have the volume.

You can also use the mail to process forwarding information requests. This is done by mailing an envelope, no letter is

necessary, to the subject at the last known address. Simply print on the envelope "Return Service Requested." This replaces "Do Not Forward – Address Correction Requested." There is no charge for this, and it is the only service that provides the original mailing address and the new address. Alternatively, print "Change Service Requested" on the envelope. The post office will send a separate notice of the new address or reason for non-delivery. Using this method, the 50 cent address correction fee is charged, the mailing is not forwarded or returned, and is disposed of by the post office. Both methods will return information for up to 18 months after the service for the customer expires. This method does not involve the carrier, and it has been my experience that the carrier is often very helpful. Still consider submitting the standard COA request as the primary method.

Always submit a change of address request with the post office for every address you have. This request does require a permissible purpose and form, or you can use the mail for the same information and no permissible purpose. Permissible purposes are service of process, court order, subpoena or a court action – assuming you are not a law enforcement officer. Additional information may be gleaned from the mail carriers directly, as they often times have information that can be useful.

In processing your requests, keep in mind that the post office does not have a database of delivery addresses and associated individuals. They are required, by law, to deliver every mail piece as addressed, unless instructed to do differently – such as a forwarding order request. If the carrier does not know your subject or the forwarding order has expired, you may receive your request back marked with "Will Deliver as Addressed," or similar language. This is not a verification that the subject resides at the address. It only indicates that there is no forwarding order and that mail delivery would be attempted. You will need to verify this information independently. ♦

* Download "Request For Change Of Address Or Boxholder Information Needed For Service Of Legal Process" here: <http://www.usps.com/foia/rft/39CFR265-266.rtf>



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