Technische Universität München | Universitätsbibliothek
Arcisstrasse 21 | 80333 München

By postal delivery certificate

Max Mustermann
Street Number
Zip Code City

Place, Date

Billing Reference (BKZ) xxxxxx xxxxx-x

Administrative Notice
Order to Return Borrowed Items
to the University Library of the Technical University of Munich (TUM)

This translation is provided for your convenience only. The original German letter you received by registered mail is the sole legally binding version. Please refer to the original letter for all details regarding due dates, fees, and billing reference.

Dear Sir or Madam,

The University Library of the Technical University of Munich (TUM) hereby issues the following administrative notice:

1. The return of the borrowed item(s) to the TUM University Library is ordered pursuant to § 18 para. 5 sentence 1 of the General Regulations on the Use of Bavarian State Libraries (Allgemeine Benützungsordnung der Bayerischen Staatlichen Bibliotheken, ABOB). You are required to return the item(s) listed in the annex to the original letter sent by registered mail within one week from the date of this letter.

2. You are excluded from using the TUM University Library for a period of six months.

3. Immediate enforcement of items 1 and 2 is hereby ordered.

If you fail to fulfill your obligation to return the respective item(s) **within one week from the date of the original letter** sent to you by registered mail, the TUM University Library will, pursuant to § 18 para. 6 ABOB, consider the item(s) lost and demand compensation by means of an administrative enforcement order in accordance with § 8 para. 3 ABOB.

Technical University of Munich
University Library
Public Service
Media Reclaim
Arcisstrasse 21
80333 München
media.reclaim@ub.tum.de

Payment Options
By providing
the billing reference (BKZ)
- via www.epay.bayern.de
- or by bank transfer

Bank Details
Account Holder: Freistaat Bayern
IBAN: DE 1070 0500 0000 0002 4866
BIC: BYLADEMMXXX
Bayerische Landesbank
Tax No.: 143 / 241 / 80037
VAT ID: DE811193231

For this notice, **costs in the amount of €35.50** (€30.00 in fees, and €5.50 in expenses) are charged, payable within four weeks from the date of the original letter sent by registered mail.

Bank Details
Account Holder: Freistaat Bayern
IBAN: DE 1070 0500 0000 0002 4866
BIC: BYLADEMMXXX
Bank: Bayerische Landesbank
Reference: BKZ as indicated on the original letter sent to you by email.
Please always state the billing reference (BKZ).

Further payment options
https://www.ub.tum.de/en/mrf

Reasons

The TUM University Library, as an authority of the Free State of Bavaria, is substantively and locally competent to order the return of items borrowed from its collections, pursuant to Art. 1 para. 2 sentence 1 no. 1 alt. 9, Art. 29 para. 5 sentence 2 half-sentence 1, and Art. 4 para. 2 sentence 2 of the Bavarian Higher Education Innovation Act (Bayerisches Hochschul-innovationsgesetz, BayHIG), Art. 3 para. 1 no. 4 of the Bavarian Administrative Procedure Act (Bayerisches Verwaltungsverfahrensgesetz, BayVwVfG), and § 1 para. 1 ABOB.

You borrowed item(s) from the TUM University Library, which are listed in the annex to the original letter sent by registered mail. The loan period for the item(s) has expired. After the due dates, the TUM University Library repeatedly requested, pursuant to § 18 paras. 3 and 4 ABOB, that you return the item(s), so far without success. Most recently, the third return request was delivered to you by registered mail.

Despite these repeated requests, you have not yet returned the borrowed item(s) to the TUM University Library. Pursuant to § 18 para. 5 sentence 1 ABOB, the return must therefore be ordered by means of an administrative notice, subject to charges. Since your refusal to return the borrowed item(s) constitutes a repeated and serious violation of both the ABOB and the orders of the TUM University Library, the previously threatened suspension of your user privileges for a period of six months must be imposed. The order for immediate enforcement is based on § 80 para. 2 no. 4 of the Administrative Court Ordinance (Verwaltungsgerichtsordnung, VwGO) and § 18 para. 5 sentence 1 ABOB.

The special public interest required for immediate enforcement is given, as failure to return borrowed items after the end of the loan period, despite repeated requests, seriously jeopardizes the proper operation of the library. Accordingly, the exclusion from use of the library must also take effect immediately, pursuant to § 26 para. 1 sentence 1 ABOB.

The decision on costs is based on § 12 para. 5 ABOB in conjunction with Art. 1 para. 1 sentence 1, Art. 2 para. 1 sentence 1, Art. 5 para. 1 sentence 2 no. 4, Art. 6 para. 1 sentence 1, and Art. 10 para. 1 no. 2 of the Bavarian Costs Law (Kostengesetz, KG) in conjunction with tariff no. 3.III.2/9 of the Bavarian Schedule of Costs (Kostenverzeichnis, KVz).

Best regards,

on behalf of
[signed by the issuing person]

Information on Legal Remedies

You may file an opposition to this decision **within one month after its announcement** with

Bavarian Administrative Court Munich
Bayerischer Verwaltungsgericht München in 80335 München
Postal address: Postfach 20 05 43, 80005 München;
Street address: Bayerstraße 30, 80335 München

The appeal can be submitted in writing, electronically in a form approved as a substitute for written form*, or in person, declared for the record of the court.

Notes regarding legal remedies:

* Filing an appeal by ordinary email is not permitted and has no legal effect. For detailed information on electronic filing of legal remedies, visit the website of the Bavarian Administrative Jurisdiction (Bayerische Verwaltungsgerichtsbarkeit) at https://www.vgh.bayern.de.

Under German federal law, a procedural fee is incurred in proceedings before administrative courts as a result of the filing of an action.

Annex

For the list of overdue items, please refer to the original letter you received by registered mail.