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# A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 356D, Hawaii Revised Statutes, is  
2 amended by adding a new section to part II to be appropriately  
3 designated and to read as follows:

4           "§356D-           Disposition of abandoned or seized property.

5           (a) The authority may sell, donate, or otherwise dispose of  
6 property abandoned or seized in or around any public housing  
7 project upon compliance with the requirements of this section.

8           (b) The authority shall send notice by certified mail, at  
9 least five calendar days before disposition of the abandoned or  
10 seized property, to the address of the owner of the property  
11 abandoned or seized if the owner is known or can be determined.  
12 The notice shall apprise the owner of the identity and location  
13 of the property abandoned or seized and of the intent of the  
14 authority to sell, donate, or otherwise dispose of the property.  
15 If the identity or the address of the owner is unknown or cannot  
16 be determined, the notice shall be posted on the premises on  
17 which the property was abandoned or seized.



1        (c) If the abandoned or seized property has an estimated  
2 value of \$500 or more per item, as estimated at the discretion  
3 of the authority, the authority shall give public notice of the  
4 disposition at least once statewide or in a publication of local  
5 circulation in the county in which the property was abandoned or  
6 seized; provided that the disposition shall not take place fewer  
7 than five days after the notice of intent to dispose of the  
8 property.

9        (d) The sale of abandoned or seized property having an  
10 estimated value of \$500 or more per item, as estimated at the  
11 discretion of the authority, shall be by public auction through  
12 oral offers in the county in which the property was abandoned or  
13 seized. If no bid is received, the property may be disposed of  
14 as the authority deems appropriate.

15        (e) Any person entitled to the abandoned or seized  
16 property may repossess the property before its disposition upon  
17 proof of entitlement and payment of all unpaid rent, debts,  
18 charges, and fines owed to the authority and all handling,  
19 storage, appraisal, advertising, and any other expenses incurred  
20 in connection with the proposed disposition of the abandoned or



1 seized property; provided that storage fees shall be no less  
2 than \$25 per day.

3 (f) The requirement of public notice and public auction  
4 pursuant to subsections (c) and (d) shall not apply when the  
5 value of the abandoned or seized property is less than \$500 per  
6 item. The property may be disposed of as the authority deems  
7 appropriate.

8 (g) The proceeds of the sale of abandoned or seized  
9 property, after deduction of all unpaid rent, debts, charges,  
10 and fines owed to the authority, and all expenses of handling,  
11 storage, appraisal, advertising, and other sale expenses, shall  
12 be first offset against any amounts owed by the owner to the  
13 State. Any amount remaining shall be held in trust for the  
14 owner of the property for thirty days, after which time the  
15 proceeds shall be paid into the authority's appropriate special  
16 fund.

17 (h) The State, its officers, employees, and agents shall  
18 not be liable to the owner of abandoned or seized property for  
19 actions taken pursuant to this section."

20 SECTION 2. New statutory material is underscored.



**1** SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

HPHA; Federal Public Housing Projects; Abandoned Property;  
Seized Property

**Description:**

Allows the Hawaii Public Housing Authority to sell, donate, or dispose of property abandoned or seized in federal public housing projects. Requires the Hawaii Public Housing Authority to notify the known owner of the abandoned or seized property. Establishes procedures for persons entitled to the abandoned or seized property. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

