
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, the authority shall give public
3 notice of the disposition at least once statewide or in a
4 publication of local circulation in the county in which the
5 property was abandoned or seized; provided that the disposition
6 shall not take place fewer than five days after the notice of
7 intent to dispose of the property. The value of the items shall
8 be estimated at the discretion of the authority.

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 not 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.

21 SECTION 3. This Act shall take effect upon its approval.



Report Title:

HPHA; Public Housing; 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 HPHA to notify the known owner of the abandoned or seized property. Establishes procedures for persons entitled to the abandoned or seized property. (SD1)

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