
A BILL FOR AN ACT

RELATING TO FORECLOSURES.

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

1 SECTION 1. Chapter 667, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§667- Writ of ejectment; preservation of household
5 contents. A mortgagee or movant must:

6 (1) Provide safe storage of the mortgagor's or tenant's
7 household contents and belongings for a period of not
8 less than ninety days after ejectment by the sheriff;

9 (2) Obtain a written and notarized release of the tenant's
10 household contents and belongings from the mortgagor
11 or tenant;

12 (3) Disclose the location of the stored household contents
13 and belongings to the mortgagor or tenant; and

14 (4) Provide an inventory list of the stored household
15 contents and belongings.

16 §667- Penalties. It will be unlawful to access,
17 remove, destroy, sell, steal, or relocate the household contents
18 and belongings of a tenant without notification to the mortgagor



1 or tenant prior to and during the ninety day period. Mortgagee
2 or movant may provide storage in an alternative location to the
3 residence provided an inventory of storage items and costs of
4 storage are made available to the mortgagor or tenant.
5 The inventory and costs shall be filed with the bureau of
6 conveyances or with the court ordering the writ of ejectment.
7 There will be a penalty of \$5,000 for each offense."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Ride Cabanilla*

JAN 26 2011



Report Title:

Foreclosures; Writ of Ejectment

Description:

Mandates a writ of ejectment in order to preserve the household contents and belongings of tenants whose homes have been foreclosed.

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