

# **HB 888, HD2**

Measure Title: RELATING TO DISPOSITION OF PERSONAL PROPERTY ON PUBLIC HOUSING PROPERTIES.

Report Title: Public Housing; Disposition of Abandoned or Seized Property

Description: Establishes a process whereby the Hawaii Public Housing Authority may dispose of abandoned or seized property that it has acquired on state low-income housing projects. Effective July 1, 2030. (HB888 HD2)

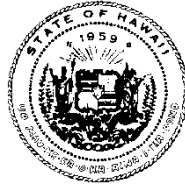
Companion: SB1119

Package: Gov

Current Referral: HMS/JDL, WAM

Introducer(s): SOUKI (Introduced by request of another party)

NEIL ABERCROMBIE  
GOVERNOR



HAKIM OUANSAFI  
EXECUTIVE DIRECTOR

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DEPARTMENT OF HUMAN SERVICES  
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Statement of  
**Hakim Ouansafi**  
Hawaii Public Housing Authority  
Before the

**SENATE COMMITTEE ON HUMAN SERVICES**

**AND**

**SENATE COMMITTEE ON JUDICIARY AND LABOR**

March 19, 2013 1:30 P.M.  
Room 016, Hawaii State Capitol

In consideration of

**House Bill No. 888, House Draft 2**  
**Relating to Disposition of Personal Property on Public Housing Properties**

Honorable Chairs Chun Oakland, Hee and Members of the Senate Committee on Human Services and the Senate Committee on Judiciary and Labor, thank you for the opportunity to provide you with comments regarding House Bill (H.B.) 888, House Draft (HD) 2, relating to disposition of personal property on public housing properties.

The Hawaii Public Housing Authority (HPHA) **supports** the enactment of this Administrative measure, which would provide the HPHA with greater ability to dispose of abandoned or seized property in and around state public housing developments, with **amendments**. The HPHA respectfully requests the original language of the bill to be re-inserted into the measure.

Currently, when a tenant vacates the HPHA's state low-income public housing developments, Hawaii Revised Statute 356D-56 requires that the HPHA retain possession of such personal articles for a period of four (4) months after termination of occupancy prior to disposing of them at auction. While the statute authorizes the HPHA to place a lien on the personal property and to recover fees relating to storage and re-possession of the articles by the former tenant, costs incurred by this process far outweigh any benefits to the public. In practice, when a tenant has vacated their unit and has abandoned possessions at the HPHA's facilities, such possessions are of little value and it is more costly and onerous on state housing Asset Management Project

(AMP) managers to process a lien, arrange storage, and follow the notice and auction processes required by current law.

The HPHA proposed a more streamlined process in the original bill that takes into account the realities of the situation regarding abandoned or seized property at state public housing projects.

When a tenancy is terminated, it is either upon notice by the tenant or the authority in excess of thirty (30) days, or by eviction through the judicial eviction process. Both situations provide the tenant with ample notice regarding potential loss of occupancy and with ample time to seek arrangements with HPHA AMP managers for the removal and storage of personal items. Requiring the HPHA to store items for four (4) months is a great administrative burden, and the sufficient costs on the agency are unlikely to be recovered from the abandoned or seized property. Furthermore, there is no onsite storage facility, and the abandoned property is left in the unit for four (4) months, which prevents a needy family that much longer from moving into public housing.

However, H.B. 888 HD2 has amended and removed key language from the original version of the bill. Instead of reducing storage time and related costs from thirty (30) days, to (5) five days prior to disposition, it has been changed to fifteen (15) days prior to disposition for items valued under five hundred dollars (\$500). H.B. 888 HD2 also eliminates the condition that a person must first pay all unpaid rent, debts, charges, and fines owed to the HPHA and all handling, storage, appraisal, advertising, and other expenses incurred in connection with the proposed disposition of abandoned or seized property valued over five hundred dollars (\$500). This allows people who have abandoned or seized property the ability to arrive right before the total process has taken place, show "proof of entitlement" to claim the abandoned or seized property, and not compensate the HPHA with all of the costs associated with storage, public notice and auction processes.

The HPHA appreciates the opportunity to provide the Senate Committee on Human Services and the Senate Committee on Judiciary and Labor with the agency's position regarding H.B. No. 888 HD2. We respectfully request the Committee to re-insert the bill's original language and pass this measure favorably. We thank you very much for your dedicated support.