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# A BILL FOR AN ACT

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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 federal public  
7       housing project upon compliance with the requirements of this  
8       section.

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



1 be determined, the notice shall be posted on the premises on  
2 which the property was abandoned or seized.

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

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

18 (e) Any person entitled to the abandoned or seized  
19 property may repossess the property before its disposition upon  
20 proof of entitlement and payment of all unpaid rent, debts,  
21 charges, and fines owed to the authority and all handling,



1 storage, appraisal, advertising, and other expenses incurred in  
2 connection with the proposed disposition of the abandoned or  
3 seized property; provided that storage fees shall be not less  
4 than \$25 per day.

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

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

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

21 SECTION 2. New statutory material is underscored.



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



**Report Title:**

HPHA; Federal Low-income Housing Projects; Abandoned Property;  
Seized Property

**Description:**

Authorizes the Hawaii Public Housing Authority to sell, donate, or otherwise 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. (CD1)

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

