

Name of agency/organization: _____

Contact person/phone/email: Bob Dukat [REDACTED] _____

Thank you for taking the time to answer these questions.

1. In your experience, how prevalent is the issue of squatting and adverse possession?

I am a process server and see a lot of the vacant properties and squatters.

2. In what communities and districts do squatting and adverse possession appear most prominent?

HPP, Nanawale, Ainaloa, Oerchidland
and alot of places in Kau and Kona districts.

3. When you receive notice or a complaint about these situations, what is your normal course of action?

Notify Police/

4. What kinds of complications have arisen in the past that have prevented a successful resolution of the situation?

The police are unable to do much without the owner's complaint.

5. For those situations that have been successfully resolved, please describe what happened.

I serve and post legal documents. Upon my re-visits to some of these properties, the squatters have relocated. Most do not seem to like people with documents coming to these properties.

6. What happens when you contact or try to contact the owner of record?

Since the majority of these homes are foreclosures, the ownership is in limbo. As a result of the recent changes in the State of Hawaii foreclosure laws, there is a long period of time between the notices of foreclosure and the actual foreclosure auction. The bank of financial institution doea not own the property until the actual foreclosure sale. They only have the paper or loan on the property. They are basically unable to do anything, until that point. The registered owner of the property won't do anything, because they have moved out and don't care.

7. What solutions would you recommend?

Modify the foreclosure laws to speed up the process to allow the lenders to actually take possession and have the property looked after.

8. Are there any other comments you would like to make?

The legislature made a knee jerk decision to make the foreclosure process a lengthy one. This was supposed to give the homeowner the benefit of the

opportunity to appear in court and defend against the foreclosure. I question the success of these court cases. Have the council check these cases out and see what the rate of success is .