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is going to have to show that the belief that the value was \$500 or less is reasonable. And it cannot be shown to be reasonable unless the landlord can show that there was a specific determination by a person who evaluates such property that this has a value of \$500 or less. That's the only way the landlord's belief about the value of the property can be deemed to be reasonable. And if in a proceeding there is a question about that property, if the landlord has kept any property the tenant does not have to come in and prove the value of the property. The action of taking the property was initiated by the landlord. So if the tenant files in small claims court challenging what the landlord has done because the value is greater, the landlord has to prove by clear and convincing evidence the value of that property. And if the property has a greater value, then the landlord cannot just keep it. The property, if it's to be disposed of, has to be sold at auction. If the tenant is not going to say, give it here and I'll give you this, that or the other, and there are still issues swirling around it. To take a step at a time, if the property is in a situation where it will be disposed of, it will have to be disposed of at public auction. Under the current law the landlord and the tenant...the landlord or the tenant may bid on that property. So if the tenant is smart and becomes aware that there is going to be a bidding, then the value of the property should be bid up, bid up, and when it seems like the landlord has made his or her last bid, then go ahead and let the landlord take it. But make them bid a substantial amount on it. It should not be necessary to do such things as this in a society which professes to be so compassionate, it should not be necessary to pass laws the purpose of which is to keep the strong from crushing the weak. Everything being said here is going to be recorded and transcribed. I will have my written record. So whenever this thing comes up again, if it does, and if the Judiciary Committee as a favor to somebody puts it on the floor, then we will all know what kind of ride we're in for. But I think the committee may have learned its lesson. Here is the irony I see in this process that has gone on today and prior days, a bill, LB 120, was one I disagreed with, it was the one dealing with joint custody of children.

SENATOR CUDABACK: One minute.