

383.030 Attachment for rent -- Procedure.

- (1) If any person is liable for rent due not later than one year thereafter, whether payable in money or some other thing, the person to whom the rent is owing or his agent or attorney may file an affidavit in the district court if the amount involved is less than \$1,500 and otherwise in the Circuit Court of the county in which the tenement lies, stating that there are reasonable grounds for belief, and that he does believe, that unless an attachment is issued he will lose his rent. The court shall then issue an attachment for the rent against the personal property of the person liable for the rent, to any county the person suing out the attachment may desire. But the attachment shall not issue until the plaintiff has given bond, with good surety, to indemnify the defendant should it appear that the attachment has been wrongfully obtained.
- (2) Attachments for rent issued shall be returned before the court issuing the attachment. The proceedings thereon shall be the same as on other attachments according to KRS Chapter 425 and the Rules of Civil Procedure.
- (3) The defendant may deny the tenancy or his liability to pay rent, as stated in the affidavit. He may repossess himself of the property by executing bond in a manner similar to that prescribed in KRS Chapter 425, subject to similar proceedings if forfeited, as is prescribed by KRS Chapter 425 and the Rules of Civil Procedure on such a bond.

Effective: January 2, 1978

History: Amended 1976 (1st Extra Sess.) Ky. Acts ch. 14, sec. 311, effective January 2, 1978. -- Amended 1966 Ky. Acts ch. 255, sec. 263. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2302, 2303.