

376.480 Lien for rent due on space for parking abandoned house trailer or mobile home -- Sale of abandoned property.

- (1) Any owner of real property who rents space on which a house trailer or mobile home is parked shall have a lien for rent due on any house trailer or mobile home, its contents, and other personalty abandoned by the occupant on the landowner's property for rent due, reasonable storage, cleanup costs, and utilities furnished to the unit and paid for by the landowner.
- (2) If, after a period of sixty (60) days, the rent, reasonable storage, cleanup costs, and utilities have not been paid, the house trailer or mobile home, its contents, and other personalty abandoned by the occupant may be sold to pay the rent, reasonable storage, cleanup costs, and utilities after the unit owner has been notified of the time and place of the sale, at the unit owner's last known address. Notice shall be made by registered mail at least ten (10) days prior to the time of the sale. If there is a valid recorded lien against the property to be sold, the landowner shall notify the lienholder of the time and place of sale by registered mail at least ten (10) days prior to the time of the sale. If the proceeds of the sale are insufficient to pay the debt and costs of sale, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of the debt owed by the unit owner. This lien shall be subject to prior recorded liens and property taxes.
- (3) Any money obtained in excess of the sale costs, taxes, and liens shall be paid by the seller to the unit owner; and if the unit owner cannot be located, the excess money shall escheat to the state pursuant to the provisions of KRS Chapter 393.
- (4) Before the sale, the landowner shall advertise a description of the property to be sold and the time and place of sale for three (3) consecutive publishing periods in a local newspaper distributed in the county where the property is located.
- (5) The sale may be by written bids or by auction, or both, and the seller may bid on the property. The sale shall be to the highest bidder.
- (6) The house trailer or mobile home shall be transferred to the purchaser in the county where the sale is conducted upon an affidavit being filed by the seller stating that the provisions of this section have been met, listing the sale price, and containing any other information that may be required by the state or county.

Effective: July 14, 1992

History: Created 1992 Ky. Acts ch. 275, sec. 1, effective July 14, 1992.