

383.070 Lien for rent -- Priority of.

- (1) A landlord renting premises for farming or coal mining purposes shall have a lien on the produce of the premises rented and the fixtures, household furniture, and other personal property owned by the tenant, or undertenant, after possession is taken under the lease, but the lien shall not be for more than one (1) year's rent due and to become due, nor for any rent which has been due for more than eleven (11) months.
- (2) Every other landlord shall have a lien on the fixtures, household furniture, and other personal property of the tenant or undertenant, from the time possession is taken under the lease, to secure the landlord in the payment of four (4) months' rent, due or to become due, but such lien shall not be effective for any rent which is past due for more than one hundred and twenty (120) days.
- (3) If sued out within one hundred and twenty (120) days from the time the rent is due, a distress or attachment for rent secured by a lien under subsection (1) or subsection (2) shall, to the extent of four (4) months' rent, be superior to and satisfied before other liens upon the personal property of a lessee, assignee or undertenant, created while the property is on the leased premises, whether the rent accrued before or after the creation of the other liens. If the rent is for premises leased for coal mining purposes, the superiority given the lien by this subsection shall be to the extent of one (1) year's rent.
- (4) If any property subject to a lien under this section is removed openly from the leased premises, without fraudulent intent, and not returned, the landlord's lien given by this section shall continue on the property so removed only for fifteen (15) days from the date of its removal. The landlord may enforce his lien against the property wherever found.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2316, 2317.