

383.080 Rights of other lienholders on property of tenant as against landlord.

- (1) If, after the commencement of any tenancy, a lien is created on the property upon the leased premises liable for rent, the party making or acquiring the lien may remove the property from the premises only after paying to the person entitled to the rent so much as is in arrears, and securing to him so much as is to become due; what is so paid and secured not being more altogether than rent for the period of time for which the landlord has a lien under KRS 383.070.
- (2) If the property is taken under execution or attachment, the officer shall, out of the proceeds of the property found on the leased premises and levied on or taken by him, make payment of the rent payable in money; in an amount equal to that for which the landlord has a lien under KRS 383.070, unless a bond of indemnity is executed. The plaintiff in the execution or attachment may compel a sale of the property under his process by executing to the officer a bond of indemnity such as provided for in KRS Ch. 425, and the remedy provided in KRS Ch. 425 and the Rules of Civil Procedure, on a bond of indemnity, shall operate in favor of the person to whom the rent is payable or other claimant of the property on the bond.
- (3) All valid liens upon the personal property of a lessee, assignee, or undertenant, created before the property is carried upon the leased premises, shall prevail against a distress warrant or attachment for rent.

History: Amended 1966 Ky. Acts ch. 255, sec. 264. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2314, 2315, 2316.