

381.799 Association's continuing lien -- Validity and priority of liens.

- (1) The association shall have a continuing lien upon the real estate or interest in any lot for the nonpayment of any assessment, special assessment, or charge levied in accordance with KRS 381.797, as well as any related interest, fines, administrative late fees, enforcement assessments, collection costs, or reasonable attorney fees that are chargeable against the lot and that remain unpaid thirty (30) days after any portion has become due and payable.
- (2) A lien charged and properly recorded against a property pursuant to this section is:
 - (a) Valid unless it is sooner released or satisfied in the same manner provided by law for the release and satisfaction of mortgages on real property; and
 - (b) Prior to any other lien, except:
 1. Liens for real estate taxes and liens for other governmental charges, penalties, or assessments, including but not limited to liens filed by a local government pursuant to KRS 65.8835; and
 2. Any mortgage, liens, or encumbrances recorded prior to the lien recordation against the property.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 23, sec. 15, effective June 29, 2023.