

1 AN ACT relating to abandoned property.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 383.020 is amended to read as follows:

- 4 (1) A distress warrant or attachment for rent shall bind, and may be levied upon, any
5 personal property of the original tenant found in the county, and the personal
6 property of the assignee or undertenant found on the leased premises. If the tenant
7 has removed his or her property to another county, the distress or attachment may
8 be directed to that county.
- 9 (2) If property is distrained for any rent not due, or attached for any rent not due or
10 accruing, or taken under any attachment sued out without good cause, the owner of
11 the property may, in an action against the party suing out the warrant of distress or
12 the attachment, recover double damages for the wrongful seizure, and if the
13 property is sold, for double the value thereof.
- 14 (3) Any person who wrongfully takes or removes property distrained or attached for
15 rent, from any person having the legal custody of it, shall be liable to the person
16 aggrieved for treble damages, with costs. If the property distrained, after the
17 wrongful taking or removal, comes to the possession of the owner by his or her
18 wrongful procurement, he or she shall in like manner be liable to the person
19 aggrieved.
- 20 **(4) Any property which is located in a dwelling unit when the landlord takes**
21 **possession, and which is not distrained or attached pursuant to this section, shall**
22 **be stored by the landlord. The landlord shall, within seven (7) days of taking**
23 **possession of the property, prepare an inventory and notify the tenant by certified**
24 **mail, return receipt requested, addressed to the tenant's last known address and**
25 **to any of the tenant's alternate addresses known to the landlord. The landlord**
26 **shall also post a notice on the door to the dwelling unit or any other conspicuous**
27 **place on the property for seven (7) days. If, within twenty-one (21) days of the**

- 1 *landlord taking possession of the dwelling unit, the tenant makes no reasonable*
- 2 *effort to recover the property, the landlord may dispose of the property.*