

99.815 Powers and duties of conservator -- Obligations of owner -- Sale or transfer of property by owner subject to conservatorship. (Effective January 1, 2022)

- (1) The conservator shall have all powers and duties necessary in order to bring the building into compliance with all applicable housing, building, and nuisance code requirements and to fulfill the conservator's responsibilities under KRS 99.780 to 99.855. A conservator's powers and duties shall include but not be limited to:
 - (a) Taking possession and control of the building and appurtenant land subject to the conservatorship;
 - (b) Pursuing all claims or causes of action of the owner with respect to the building;
 - (c) Contracting for the repair and maintenance of the building. The conservator shall make a reasonable effort to solicit three (3) bids for contracts valued at more than thirty thousand dollars (\$30,000);
 - (d) Borrowing money or incurring indebtedness for costs of rehabilitation of the building as set out in KRS 99.820;
 - (e) Contracting for and paying for the restoration of utilities to the building;
 - (f) Applying for and obtaining construction permits;
 - (g) Purchasing materials, goods, and supplies to accomplish repairs to the building;
 - (h) Renewing or entering into contracts providing for insurance coverage on the building;
 - (i) Engaging and paying legal, accounting, appraisal, and other professionals necessary to aid the conservator in the conduct of the conservatorship;
 - (j) If the building has been designated an historic structure, consulting with the local government's historical commission or board of historical and architectural review, a local historic preservation organization or, in the absence thereof, the Kentucky Heritage Council for recommendations on preserving the property's historic character;
 - (k) Applying for and receiving public grants or loans;
 - (l) Selling the building as set out in KRS 99.835; and
 - (m) Exercising all authority that an owner of the building would have to rehabilitate and maintain the building.
- (2) Notwithstanding the appointment of a conservator, nothing in KRS 99.780 to 99.855 shall be construed to relieve the owner of any civil or criminal liability or of any obligation to pay taxes, local government liens and charges, private liens, or other fees or charges, whether incurred before or after the appointment of the conservator, and no such liability shall transfer to the conservator.
- (3) If any interest in the property subject to conservatorship is sold or transferred by the owner during the pendency of the conservatorship, the sale or transfer shall be subject to the conservatorship.

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History: Created 2021 Ky. Acts ch. 166, sec. 8, effective January 1, 2022.