

99.830 Plan for demolition of building -- Required evidence -- Salvage of reusable materials -- Full accounting -- Petition to terminate conservatorship through sale. (Effective January 1, 2022)

- (1) If no feasible final plan can be developed for rehabilitation of the building in order to bring it into compliance with all applicable housing, building, and nuisance code requirements at a reasonable cost in relation to the present value of the building without consideration of the value of the land on which the building is located, the conservator may submit a plan for demolition and removal of the building and all debris from the property to the court and all parties in interest.
- (2) The present value of the building in relation to the estimate for costs of rehabilitation of the building in order to bring it into compliance with all applicable housing, building, and nuisance code requirements may be established by evidence of three (3) affidavits prepared by real estate appraisers, qualified building contractors, or qualified building inspectors.
- (3) A plan for demolition shall require a reasonable effort to be made to salvage reusable materials for credit against the cost of demolition. The proceeds of any moneys received from the sale of salvaged materials shall be used or applied against the cost of demolition and removal of the building and all debris from the property. Proper records shall be kept showing application of sales proceeds. Any sale of salvaged materials may be made without the necessity of public advertisement.
- (4) Any party in interest shall be allowed to comment on or request a hearing on a plan for demolition within thirty (30) days of receipt of the plan for demolition by certified or registered mail.
- (5) Upon demolition and removal of the building and all debris from the property, the conservator shall submit to the court and all parties in interest a full accounting of all actions taken, all income and expenditures received or incurred, and an estimate of the conservator's fee.
- (6) The conservator may then petition the court for authorization to terminate the conservatorship through either a public or private sale.

Effective: January 1, 2022

History: Created 2021 Ky. Acts ch. 166, sec. 11, effective January 1, 2022.