

2023 Kansas Statutes

58-227. Liens on mobile and manufactured homes; removal from leased or rented space; enforcement of lien. (a) Any person leasing or renting space for a manufactured home or mobile home site shall have a lien upon any manufactured home or mobile home situated thereon for unpaid lease or rental payments and for other unpaid charges due such lessor under the written terms and conditions of any lease or rental agreement with the lessee. Such lien shall be effective after the lessee has defaulted in payments as provided in the written rental or lease agreement with the lessor.

Notice of such lien shall be given by the lessor by causing written notice of such lien to be posted conspicuously upon such manufactured home or mobile home.

The lien provided by this act shall have priority over all other liens except a previous validly perfected security interest in such manufactured home or mobile home.

(b) At any time after 30 days beyond the date notice is given to the lessee, the lessor may remove the manufactured home or mobile home from the leased or rented site and may retain such lien as is provided in this act. Upon such removal, reasonable charges for such removal and storage may be assessed against the manufactured home or mobile home. Notwithstanding the foregoing no manufactured home or mobile home may be removed pursuant to this subsection if such manufactured home or mobile home is occupied by the lessee; in such cases the lessor may obtain restitution of the premises pursuant to K.S.A. 61-3801 through 61-3808, and amendments thereto.

(c) Such lien may be enforced and foreclosed as security agreements are enforced under the provisions of the uniform commercial code.

History: L. 1978, ch. 228, § 1; L. 1978, ch. 229, § 1; L. 1991, ch. 33, § 32; L. 2000, ch. 161, § 105; January 1, 2001.