

**39-959. Powers and duties of receiver.** A receiver appointed in accordance with the provisions of this act shall have the following powers and duties:

- (a) Conduct the day to day business operations of the adult care home;
- (b) reimburse the owner or licensee, as appropriate, a fair monthly rental for the adult care home, taking into account all relevant factors, including the condition of such adult care home and set-offs arising from improvements made by the receiver;
- (c) give fair compensation to the owner or licensee, as appropriate, for all property taken or used during the course of the receivership if such person has not previously received compensation for the property being taken or used;
- (d) correct or eliminate any deficiency in the adult care home that concerns the health, safety, nutrition, or sanitation of the residents of the adult care home and is life threatening or endangering;
- (e) enter into contracts as necessary to carry out his or her duties as receiver and incur expenses for individual items of repairs, improvements or supplies without the procurement of competitive bids, if otherwise required by law, where the total amount of such individual item does not exceed five hundred dollars (\$500);
- (f) collect incoming payments from all sources and apply them to the costs incurred in the performance of his or her functions as receiver including the compensation of the receiver, if any;
- (g) honor all existing leases, mortgages, chattel mortgages and security interests;
- (h) operate the adult care home so as to provide safe and adequate health care for the residents of the adult care home;
- (i) provide for the orderly transfer of all residents in the adult care home to other adult care homes or make other provisions for their continued safety and health care, as necessary;
- (j) other powers and duties as authorized or imposed by the district court.

**History:** L. 1978, ch. 162, § 6; July 1.