

any property that is subject to the contract and is needed to continue operation of the nursing home or community [residential] program.

(3) The court shall hold a hearing on a petition under this subsection within 15 days after the petition is filed.

(4) Notice of the petition shall be given to all known owners of property that the petition affects:

(i) By the receiver, at least 10 days before the hearing; or

(ii) By publication, if the receiver files with the court a statement that:

1. Is signed and verified by the receiver;

2. States that the owner of the property cannot be found; and

3. Sets forth a substantial account of reasonable, good faith efforts to find the owner and serve process.

(5) The court shall set a rent under this subsection in an amount that is not less than the total current payments of principal and interest required on all mortgages and secured transactions that:

(i) Affect the property under the contract to be avoided; and

(ii) Cannot be avoided under this subsection.

(6) Payment of the rent or interest rate that a court sets under this subsection is a defense in any action against the receiver for payment or for possession of the property. However, the payment does not relieve the owner or operating entity of any liability for the difference between the amount that the receiver pays and the amount that is due under the contract.

(g) (1) A receiver is not liable for an injury to person or property that results from the condition of the nursing home or site of the community [residential] program.

(2) A receiver only is liable for any act or omission that constitutes negligence in the fulfillment of the duties as receiver.

(h) A receiver is entitled to the fee that the court finds reasonable.