561.21 Debts for which homestead liable.

The homestead may be sold to satisfy debts of each of the following classes:

- 1. Those contracted prior to its acquisition, but then only to satisfy a deficiency remaining after exhausting the other property of the debtor, liable to execution.
- 2. Those created by written contract by persons having the power to convey, expressly stipulating that it shall be liable, but then only for a deficiency remaining after exhausting all other property pledged by the same contract for the payment of the debt.
- 3. a. Those secured by a mechanic's lien under chapter 572, including reasonable attorney fees as provided under section 572.32, subsection 1.
- b. Those incurred for work done or material furnished, including principal and interest on any note securing the purchase of such material, exclusively for the improvement of the homestead.
- 4. If there is no survivor or issue, for the payment of any debts to which it might at that time be subjected if it had never been held as a homestead.

[C51, §1248, 1249, 1265; R60, §2280, 2281, 2297; C73, §1991 – 1993, 2009; C97, §2975, 2976, 2986; C24, 27, 31, 35, 39, §**10155**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §561.21]

2020 Acts, ch 1075, §1, 2 Referred to in §624.23 Homestead acquired with pension funds, §627.9 Liability for assistance furnished poor person, §252.14