

HOUSE BILL 815

L2, N1
HB 1108/11 – ENV

2lr0675

By: **Prince George's County Delegation**
Introduced and read first time: February 9, 2012
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Foreclosed Property Registry**

3 **PG 412–12**

4 FOR the purpose of authorizing Prince George's County to enact a local law
5 establishing a foreclosed property registry for certain property located in the
6 county; requiring a local law enacted under this Act to require a certain
7 successor in interest to register certain foreclosed residential property, to pay a
8 certain registration fee, and to be responsible for the maintenance and security
9 of the foreclosed property; requiring a local law enacted under this Act to
10 require a successor in interest to provide certain information about the
11 property; requiring the county to establish a special fund for the deposit of
12 registration fees to be used for certain purposes; requiring a local law enacted
13 under this Act to require a certain successor in interest who transfers title to or
14 rents a foreclosed property to notify the county; requiring the county to delete
15 the property from the registry under certain circumstances; requiring a local
16 law enacted under this Act to subject a successor in interest to a certain civil
17 penalty for failing to maintain and secure foreclosed property; requiring a local
18 law enacted under this Act to subject a successor in interest to a certain civil
19 penalty for failing to register a foreclosed property; defining certain terms; and
20 generally relating to the authority of Prince George's County to enact a local law
21 establishing a foreclosed property registry.

22 BY repealing and reenacting, without amendments,
23 Article – Real Property
24 Section 7–105.1(a)(1) and (9)
25 Annotated Code of Maryland
26 (2010 Replacement Volume and 2011 Supplement)

27 BY adding to
28 Article – Real Property

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 14–126(d)
2 Annotated Code of Maryland
3 (2010 Replacement Volume and 2011 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article – Real Property**

7 7–105.1.

8 (a) (1) In this section the following words have the meanings indicated.

9 (9) “Residential property” means real property improved by four or
10 fewer single family dwelling units that are designed principally and are intended for
11 human habitation.

12 14–126.

13 **(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**
14 **THE MEANINGS INDICATED.**

15 **(II) “FORECLOSED PROPERTY” MEANS RESIDENTIAL**
16 **PROPERTY THAT IS NOT OCCUPIED, THAT HAS BEEN THE SUBJECT OF A**
17 **FORECLOSURE SALE, AND FOR WHICH THE TITLE HAS BEEN ACQUIRED BY A**
18 **SUCCESSOR IN INTEREST.**

19 **(III) “RESIDENTIAL PROPERTY” HAS THE MEANING STATED**
20 **IN § 7–105.1 OF THIS ARTICLE.**

21 **(IV) “SUCCESSOR IN INTEREST” MEANS A PERSON THAT:**

22 **1. HAS ACQUIRED LEGAL TITLE TO RESIDENTIAL**
23 **PROPERTY AT A FORECLOSURE SALE; BUT**

24 **2. DOES NOT INTEND TO LIVE IN THE PROPERTY.**

25 **(V) “VACANT” MEANS A BUILDING THAT IS NOT LEGALLY**
26 **OCCUPIED.**

27 **(2) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S**
28 **COUNTY.**

1 **(3) THE COUNTY MAY ENACT A LOCAL LAW THAT ESTABLISHES A**
2 **FORECLOSED PROPERTY REGISTRY AND REQUIRES A SUCCESSOR IN INTEREST**
3 **OF FORECLOSED PROPERTY LOCATED WITHIN THE COUNTY:**

4 **(I) IN ACCORDANCE WITH PARAGRAPH (4) OF THIS**
5 **SUBSECTION, TO REGISTER THE PROPERTY WITH THE COUNTY WITHIN A**
6 **SPECIFIED PERIOD OF TIME AFTER THE SUCCESSOR IN INTEREST HAS**
7 **ACQUIRED TITLE TO THE PROPERTY;**

8 **(II) IN ACCORDANCE WITH PARAGRAPH (5) OF THIS**
9 **SUBSECTION, TO PAY A REGISTRATION FEE TO THE COUNTY FOR THE**
10 **PROPERTY; AND**

11 **(III) IN ACCORDANCE WITH PARAGRAPH (6) OF THIS**
12 **SUBSECTION, TO BE RESPONSIBLE FOR THE SECURITY AND MAINTENANCE OF**
13 **THE PROPERTY.**

14 **(4) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL**
15 **REQUIRE THAT THE REGISTRATION OF A FORECLOSED PROPERTY INCLUDE:**

16 **(I) THE STREET ADDRESS AND TAX ACCOUNT NUMBER OF**
17 **THE PROPERTY;**

18 **(II) THE NAME OF THE SUCCESSOR IN INTEREST AND THE**
19 **DATE THE SUCCESSOR IN INTEREST ACQUIRED TITLE TO THE PROPERTY; AND**

20 **(III) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF AN**
21 **INDIVIDUAL AUTHORIZED TO ACT ON BEHALF OF THE SUCCESSOR IN INTEREST**
22 **WHO:**

23 **1. MAINTAINS AN OFFICE IN THE STATE; AND**

24 **2. IS AUTHORIZED IN WRITING TO ACCEPT NOTICES**
25 **OF VIOLATIONS OF THE LOCAL LAW ENACTED UNDER THIS SUBSECTION FROM**
26 **THE COUNTY.**

27 **(5) (I) A LOCAL LAW ENACTED UNDER THIS SUBSECTION**
28 **SHALL REQUIRE THAT THE SUCCESSOR IN INTEREST PAY THE COUNTY AN**
29 **ANNUAL REGISTRATION FEE OF \$75 FOR EACH FORECLOSED PROPERTY.**

30 **(II) THE COUNTY SHALL DEPOSIT THE REGISTRATION FEE**
31 **IN A SPECIAL FUND TO BE USED FOR ADMINISTRATIVE COSTS AND FOR THE**

1 PURPOSE OF MAINTAINING FORECLOSED PROPERTIES IN THE COUNTY IN
2 ACCORDANCE WITH LOCAL LAW.

3 (6) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL
4 REQUIRE THAT THE SUCCESSOR IN INTEREST MAINTAIN THE REGISTERED
5 PROPERTY IN ACCORDANCE WITH SUBTITLE 13, DIVISIONS 7 AND 9 OF THE
6 PRINCE GEORGE'S COUNTY CODE.

7 (7) (I) A LOCAL LAW ENACTED UNDER THIS SUBSECTION
8 SHALL REQUIRE A SUCCESSOR IN INTEREST WHO SELLS OR TRANSFERS TITLE
9 TO FORECLOSED PROPERTY TO A PERSON WHO INTENDS TO OCCUPY THE
10 PROPERTY OR WHO OBTAINS A RENTAL LICENSE AND INTENDS TO RENT THE
11 PROPERTY TO NOTIFY AND PROVIDE DOCUMENTATION TO THE COUNTY THAT
12 THE PROPERTY HAS BEEN TRANSFERRED.

13 (II) ON RECEIPT OF THE NOTICE AND DOCUMENTATION
14 REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COUNTY
15 SHALL DELETE THE PROPERTY FROM THE REGISTRY.

16 (8) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL
17 REQUIRE THAT:

18 (I) THE FAILURE TO MAINTAIN AND SECURE THE
19 PROPERTY AS PROVIDED IN THE LOCAL LAW SUBJECTS THE SUCCESSOR IN
20 INTEREST TO A CIVIL PENALTY AS PROVIDED IN THE LOCAL LAW; AND

21 (II) THE FAILURE TO REGISTER AN ABANDONED PROPERTY
22 AS PROVIDED IN THE LOCAL LAW SUBJECTS THE SUCCESSOR IN INTEREST TO A
23 CIVIL PENALTY AS PROVIDED IN THE LOCAL LAW.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2012.