

# SENATE BILL 788

N1

2lr1758

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By: **Senators Muse, Colburn, and Ramirez**  
Introduced and read first time: February 3, 2012  
Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Registration of Property Subject to Foreclosure**

3 FOR the purpose of requiring a person authorized to make the sale of a residential or  
4 commercial property to give certain notice to the appropriate county agency  
5 within a certain number of days after filing an order to docket or a complaint to  
6 foreclose a mortgage or deed of trust on residential or commercial property  
7 located in the State; requiring a person authorized to make the sale of a  
8 residential or commercial property to provide the appropriate county agency  
9 with the contact information of a person authorized to manage and maintain  
10 the residential or commercial property; authorizing the appropriate county  
11 agency to collect a certain fee with a certain notice of a filing to foreclose on  
12 residential or commercial property; requiring the fee to be paid by the owner of  
13 record of the property subject to foreclosure; requiring the fee collected to be  
14 used for certain purposes; and generally relating to the registration of  
15 residential and commercial property subject to foreclosure in the State.

16 BY adding to  
17 Article – Real Property  
18 Section 7–105.11  
19 Annotated Code of Maryland  
20 (2010 Replacement Volume and 2011 Supplement)

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

23 **Article – Real Property**

24 **7–105.11.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           **(A) WITHIN 5 CALENDAR DAYS AFTER A PERSON AUTHORIZED TO MAKE**  
2 **THE SALE OF A RESIDENTIAL OR COMMERCIAL PROPERTY HAS FILED AN ORDER**  
3 **TO DOCKET OR A COMPLAINT TO FORECLOSE A MORTGAGE OR DEED OF TRUST**  
4 **ON RESIDENTIAL OR COMMERCIAL PROPERTY LOCATED IN THE STATE, THE**  
5 **PERSON AUTHORIZED TO MAKE THE SALE SHALL GIVE NOTICE OF THE FILING**  
6 **TO THE APPROPRIATE COUNTY AGENCY FOR THE COUNTY IN WHICH THE**  
7 **PROPERTY IS LOCATED.**

8           **(B) THE NOTICE SHALL IDENTIFY THE RESIDENTIAL OR COMMERCIAL**  
9 **PROPERTY SUBJECT TO FORECLOSURE BY STREET ADDRESS AND, IF KNOWN, BY**  
10 **TAX ACCOUNT NUMBER AND SHALL INCLUDE THE NAMES AND ADDRESSES, IF**  
11 **KNOWN, OF ALL OWNERS OF THE RESIDENTIAL OR COMMERCIAL PROPERTY**  
12 **SUBJECT TO THE FORECLOSURE ACTION AND THE NAME, ADDRESS, AND**  
13 **TELEPHONE NUMBER OF THE PERSON AUTHORIZED TO MAKE THE SALE.**

14           **(C) THE PERSON AUTHORIZED TO MAKE THE SALE MAY PROVIDE TO**  
15 **THE APPROPRIATE COUNTY AGENCY FOR THE COUNTY IN WHICH THE**  
16 **PROPERTY IS LOCATED THE NAME, ADDRESS, AND TELEPHONE NUMBER OF A**  
17 **PERSON AUTHORIZED TO MANAGE AND MAINTAIN THE RESIDENTIAL OR**  
18 **COMMERCIAL PROPERTY PRIOR TO THE SALE OF THE RESIDENTIAL OR**  
19 **COMMERCIAL PROPERTY.**

20           **(D) (1) THE APPROPRIATE COUNTY AGENCY FOR THE COUNTY IN**  
21 **WHICH THE PROPERTY IS LOCATED MAY COLLECT A FEE WITH EACH NOTICE**  
22 **UNDER THIS SECTION THAT IS NOT LESS THAN \$75 AND NOT MORE THAN \$250.**

23                   **(2) THE FEE AUTHORIZED UNDER PARAGRAPH (1) OF THIS**  
24 **SUBSECTION SHALL BE PAID BY THE OWNER OF RECORD OF THE PROPERTY**  
25 **SUBJECT TO FORECLOSURE.**

26                   **(3) ANY FEE COLLECTED UNDER THIS SUBSECTION MAY BE USED**  
27 **FOR:**

28                           **(I) ENSURING THE MAINTENANCE AND UPKEEP OF**  
29 **FORECLOSED PROPERTIES BY ENFORCING LOCAL ORDINANCES OR**  
30 **CONDUCTING MAINTENANCE; OR**

31                           **(II) MAINTAINING A FORECLOSED PROPERTY REGISTRY.**

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