

HOUSE BILL 951

C2, N1

5lr1675

By: **Delegates Glenn, Adams, Aumann, Brooks, Carey, Frick, Impallaria, Mautz, McCray, W. Miller, Vaughn, and C. Wilson**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Collection Agency Licensing Act – Exemptions – Landlords**

3 FOR the purpose of exempting from the Maryland Collection Agency Licensing Act a
4 landlord, or a person acting on behalf of a landlord, in collection of a rent or allied
5 charges for property and a person acting under the provisions of a certain contract
6 and on behalf of certain entities in the collection of certain assessments, fees, or any
7 charges imposed by the entities; and generally relating to the Maryland Collection
8 Agency Licensing Act.

9 BY repealing and reenacting, with amendments,
10 Article – Business Regulation
11 Section 7–102(b)
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2014 Supplement)

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

16 **Article – Business Regulation**

17 7–102.

18 (b) This title does not apply to:

- 19 (1) a bank;
- 20 (2) a federal or State credit union;
- 21 (3) a mortgage lender;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) a person acting under an order of a court of competent jurisdiction;
- 2 (5) a licensed real estate broker, or an individual acting on behalf of the
3 real estate broker, in the collection of rent or allied charges for property;
- 4 (6) a savings and loan association;
- 5 (7) a title company as to its escrow business;
- 6 (8) a trust company;
- 7 (9) a lawyer who is collecting a debt for a client, unless the lawyer has an
8 employee who:
- 9 (i) is not a lawyer; and
- 10 (ii) is engaged primarily to solicit debts for collection or primarily
11 makes contact with a debtor to collect or adjust a debt through a procedure identified with
12 the operation of a collection agency; [or]
- 13 (10) a person who is collecting a debt for another person if:
- 14 (i) both persons are related by common ownership;
- 15 (ii) the person who is collecting a debt does so only for those persons
16 to whom it is related by common ownership;
- 17 (iii) the principal business of the person who is collecting a debt is not
18 the collection of debts; and
- 19 (iv) before collecting a debt, the person files with the Board:
- 20 1. the correct name of the person;
- 21 2. an address and telephone number of a contact person; and
- 22 3. the name of the person's resident agent;

23 **(11) A LANDLORD, OR A PERSON ACTING ON BEHALF OF THE**
24 **LANDLORD, IN THE COLLECTION OF A RENT OR ALLIED CHARGES FOR PROPERTY;**
25 **OR**

26 **(12) A PERSON ACTING UNDER THE PROVISIONS OF A CONTRACT AND**
27 **ON BEHALF OF A COUNCIL OF UNIT OWNERS OF A CONDOMINIUM, A HOMEOWNERS'**
28 **ASSOCIATION, OR A COOPERATIVE HOUSING CORPORATION IN THE COLLECTION OF**
29 **ASSESSMENTS, FEES, OR ANY OTHER CHARGES IMPOSED BY THE COUNCIL OF UNIT**

1 **OWNERS OF A CONDOMINIUM, THE HOMEOWNERS' ASSOCIATION, OR THE**
2 **COOPERATIVE HOUSING CORPORATION.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
4 1, 2015.