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§8-326.

(a) Except as provided in subsection (b) of this section, if the Commission is unable to acquire the property by negotiation, it shall certify the case to the board of property review for the county in which the property is located, as provided in the Maryland Rules.

(b) A case shall be filed as a condemnation case in the court for the county in which the property is located and may not be heard by a board of property review if:

(1) The Commission determines that valid, marketable title is unobtainable without a court proceeding; or

(2) A nonresident has an interest in the property and will not accept service of process and agree to the board's jurisdiction.

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