

Article - Labor and Employment

§3-1105.

(a) If a circuit court orders the establishment of a lien for unpaid wages, the employee may record the lien for unpaid wages by filing a wage lien statement under subsection (c) of this section.

(b) If the employer fails to file a timely complaint disputing the notice of wage lien, the employee may record the lien for unpaid wages by filing a wage lien statement under subsection (c) of this section along with proof of service in accordance with Maryland Rule 2-126.

(c) A wage lien statement may be recorded:

(1) for a lien against real property, by filing a wage lien statement, in a form prescribed by the Commissioner, with the clerk of the circuit court for the county where any portion of the property is located; and

(2) for a lien against personal property, by filing a wage lien statement in the same manner, form, and place as a financing statement under Title 9, Subtitle 5 of the Commercial Law Article.

(d) (1) If an employee does not record a wage lien statement within 180 days after the lien for unpaid wages is established, a lien for unpaid wages shall be extinguished without prejudice.

(2) If payment is made or a bond is filed for the amount of wages and damages stated in the wage lien statement, the recorded lien for unpaid wages shall be released.

(e) A lien for unpaid wages recorded under this section shall be considered a secured claim that has priority:

(1) from the date of the court order establishing the lien for unpaid wages;
or

(2) if no complaint disputing the lien for unpaid wages is filed, from the date that the employee filed the wage lien statement.

(f) Subsequent bona fide purchasers of any property subject to a recorded lien for unpaid wages are deemed to have constructive notice of the lien for unpaid wages from date of recordation of a wage lien statement.