

Article - Real Property

§14-302.

(a) If a broker is not paid a commission according to the terms of a commercial leasing brokerage agreement, the broker shall be entitled to a lien under this subtitle for the unpaid portion of the commission.

(b) (1) A broker's lien established under this subtitle shall:

(i) Subject to subparagraph (ii) of this paragraph, have priority over all liens of every kind perfected against the lien property after the issuance of an interlocutory order or the final order of the court under § 14-305 of this subtitle;

(ii) Be subordinate to a mechanics' lien established under Title 9 of this article, and perfected subsequent to the broker's lien if the mechanics' lien relates back to a date when work was performed or materials were furnished and that date is prior to the issuance of an interlocutory order or the final order of the court under § 14-305 of this subtitle;

(iii) Be subordinate to all liens perfected prior to the issuance of an interlocutory order or the final order of the court under § 14-305 of this subtitle, notwithstanding that the holder of a prior perfected lien had knowledge of the broker's unfiled commission claim at the time of perfection; and

(iv) Be subordinate to all other liens which are otherwise paramount to the broker's lien by operation of law.

(2) (i) A commercial property may not be subjected to a broker's lien under this subtitle if, prior to the establishment of the broker's lien, legal title has been granted to a bona fide purchaser for value.

(ii) The filing of a petition under § 14-304 of this subtitle shall constitute notice to a purchaser of the possibility of a broker's lien perfected under this subtitle.