N1, L6

ENROLLED BILL

- Environment and Transportation/Judicial Proceedings -

Introduced by **Delegate Holmes**

Read and Examined by Proofreaders:

												Proofre	ader.
												Proofre	ader.
Sealed	with	the	Great	Seal	and	presente	d to	the	Governor,	for	his	approval	this
	_ day	of				at				_ 0	cloc	k,	M.
												Spe	aker.
						СНАРТЕ	R						

1 AN ACT concerning

Foreclosed Property Registry – Updated Information – Notice to Local Governments

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to 4 establish procedures that require a foreclosure purchaser to submit to the Foreclosed $\mathbf{5}$ 6 Property Registry any change to certain information within a certain number of days 7 after the change is known to the purchaser; requiring the Department to notify, by 8 electronic means, certain authorized users from certain counties and municipal 9 corporations on receipt through the Foreclosed Property Registry of an initial registration or a change to certain information; providing for a delayed effective date; 10 11 and generally relating to the Foreclosed Property Registry.

- 12 BY repealing and reenacting, with amendments,
- 13 Article Real Property
- 14 Section 14–126.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



(8lr0503)

	-								
$egin{array}{c} 1 \\ 2 \\ 3 \end{array}$	Annotated Code of Maryland (2015 Replacement Volume and 2017 Supplement) (As enacted by Chapters 348 and 349 of the Acts of the General Assembly of 2017)								
4 5	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:								
6	Article – Real Property								
7	14–126.1.								
8	(a) (1)	In this section the following words have the meanings indicated.							
9 10	(2) Regulation.	"Department" means the Department of Labor, Licensing, and							
$\begin{array}{c} 11 \\ 12 \end{array}$	(3) established by the	"Foreclosed Property Registry" means the Foreclosed Property Registry Department under subsection (b) of this section.							
$\begin{array}{c} 13\\14\\15\end{array}$	(4) on the report of sa property.	"Foreclosure purchaser" means the person identified as the purchaser le required by Maryland Rule 14–305 for a foreclosure sale of residential							
$\begin{array}{c} 16 \\ 17 \end{array}$	(5) the Department u	"Fund" means the Foreclosed Property Registry Fund established by nder subsection (i) of this section.							
18	(6)	"Local jurisdiction" means:							
19		(i) A county; or							
20		(ii) A municipal corporation.							
$\begin{array}{c} 21 \\ 22 \end{array}$	(7) dwelling units tha	"Residential property" means real property improved by four or fewer at are designed principally and are intended for human habitation.							
$\begin{array}{c} 23\\ 24 \end{array}$	< <i>/</i>	Department shall establish and maintain an Internet–based Foreclosed for information relating to foreclosure sales of residential property.							
$25 \\ 26 \\ 27$	(c) At the time of a foreclosure sale of residential property, the person responsible for conducting the foreclosure shall obtain from the foreclosure purchaser a written acknowledgment of the requirements of this section.								
28 29 30	(d) (1) foreclosure purch Registry.	Within 30 days after a foreclosure sale of residential property, a aser shall submit an initial registration to the Foreclosed Property							

31 (2) The initial registration shall:

 $\mathbf{2}$

1		(i)	Be in	n the form the Department requires; and
2		(ii)	Conta	ain the following information:
$\frac{3}{4}$	foreclosure purcha	ser;	1.	The name, telephone number, and address of the
$5 \\ 6$	foreclosure sale;		2.	The street address of the property that is the subject of the
7			3.	The date of the foreclosure sale;
$\frac{8}{9}$	property;		4.	Whether the property is a single-family or multifamily
$10 \\ 11 \\ 12$	substitute purcha purchaser;	ser, w	5. zho is	The name and address of the person, including a authorized to accept legal service for the foreclosure
$\begin{array}{c} 13\\14 \end{array}$	time of registration	n:	6.	To the best of the foreclosure purchaser's knowledge at the
15			A.	Whether the residential property is vacant; and
$\begin{array}{c} 16 \\ 17 \end{array}$	person who is resp	onsible	B. e for th	The name, telephone number, and street address of the he maintenance of the property; and
18 19	property.		7.	Whether the foreclosure purchaser has possession of the
$20 \\ 21 \\ 22$	(3) has been recorded Foreclosed Propert	l, the	foreclo	lays after a deed transferring title to the residential property osure purchaser shall submit a final registration to the
23	(4)	The f	inal reş	egistration shall:
24		(i)	Be in	n the form the Department requires; and
$\begin{array}{c} 25\\ 26 \end{array}$	registration:	(ii)	Conta	ain the following information as of the date of final
27 28	the deed;		1.	The name, telephone number, and address of the owner on
29			2.	The date of the ratification of the sale; and

4

1

3. The date the deed was recorded.

2 (5) THE DEPARTMENT SHALL ESTABLISH PROCEDURES THAT 3 REQUIRE A FORECLOSURE PURCHASER, AFTER SUBMITTING AN INITIAL 4 REGISTRATION, TO SUBMIT TO THE FORECLOSED PROPERTY REGISTRY ANY 5 CHANGE TO THE INFORMATION REQUIRED UNDER PARAGRAPH (2)(II)5 THROUGH 7 6 OF THIS SUBSECTION WITHIN 21 BUSINESS DAYS AFTER THE CHANGE IS KNOWN TO 7 THE PURCHASER.

8 **ON RECEIPT THROUGH THE FORECLOSED PROPERTY REGISTRY** (6) 9 OF AN INITIAL REGISTRATION OR ANY CHANGE SUBMITTED UNDER PARAGRAPH (5) 10 OF THIS SUBSECTION, THE DEPARTMENT SHALL PROMPTLY NOTIFY, BY 11 ELECTRONIC MEANS, AUTHORIZED USERS FROM THE COUNTY AND. IF APPROPRIATE, THE MUNICIPAL CORPORATION IN WHICH THE PROPERTY IS 1213 LOCATED.

14

(e)

(1) The filing fees for registering a residential property are:

15 (i) \$50 for an initial registration filed within the time period 16 required under subsection (d)(1) of this section; and

17 (ii) 100 for an initial registration filed after the time period 18 required under subsection (d)(1) of this section.

19

(2) There is no fee for a final registration.

20 (3) A filing fee paid under paragraph (1) of this subsection is 21 nonrefundable.

(4) A local jurisdiction may enact a local law that imposes a civil penalty
for failure to register under this section in an amount not exceeding \$1,000.

(f) (1) Subject to paragraph (2) of this subsection, a local jurisdiction that, in accordance with any applicable building code or local ordinance, abates a nuisance on a residential property registered under this section or takes action to maintain a residential property registered under this section may collect the cost associated with the abatement or other action as a charge included on the residential property's property tax bill.

29 (2) (i) The cost associated with an abatement or other action taken 30 under paragraph (1) of this subsection may not be included as a charge on the residential 31 property's property tax bill unless the local jurisdiction provides advance written notice in 32 accordance with subparagraph (ii) of this paragraph to:

The person identified in the registry who is authorized to
accept legal service for the foreclosure purchaser; and

$\frac{1}{2}$	the maintenand	ce of the p	2. The person identified in the registry who is responsible for property.
3		(ii)	The notice described in subparagraph (i) of this paragraph shall:
45	jurisdiction int	ends to ta	1. Describe the intended abatement or other action the local ke; and
6			2. Be provided:
$7 \\ 8$	building code o	r local oro	A. In accordance with the notice provisions of the applicable linance; or
9 10 11	provide for noti action to maint		B. If the applicable building code or local ordinance does not at 30 days before the local jurisdiction abates the nuisance or takes coperty.
12	(g) (1)) The]	Foreclosed Property Registry:
$\frac{13}{14}$	Provisions Arti	(i) cle; and	Is not a public record as defined by § 4–101 of the General
15		(ii)	Is not subject to Title 4 of the General Provisions Article.
$\begin{array}{c} 16 \\ 17 \end{array}$	(2) Registry only to		Department may authorize access to the Foreclosed Property isdictions, their agencies, and representatives and State agencies.
18 19 20	(3) Department or Foreclosed Proj	a local ju	ithstanding paragraphs (1) and (2) of this subsection, the urisdiction may provide information for a specific property in the istry to:
21		(i)	A person who owns property on the same block; or
$\frac{22}{23}$	is located.	(ii)	A homeowners association or condominium in which the property
$24 \\ 25$	(h) Re section shall be		llected from the filing fees required under subsection (e)(1) of this ed to the Fund.
26	(i) (1)) Ther	e is a Foreclosed Property Registry Fund in the Department.
27 28	(2) and maintenan	-	ourpose of the Fund is to support the development, administration, Foreclosed Property Registry established under this section.
29	(3)) The]	Department shall administer the Fund.

$\frac{1}{2}$	(4) 7–302 of the Sta	(i) te Finar	The Fund is a special, nonlapsing fund that is not subject to § ace and Procurement Article.			
$\frac{3}{4}$	Comptroller sha	(ii) ll accour	The State Treasurer shall hold the Fund separately, and the nt for the Fund.			
5	(5)	The	Fund consists of:			
6 7	section;	(i)	Revenue distributed to the Fund under subsection (h) of this			
8		(ii)	Investment earnings of the Fund;			
9		(iii)	Money appropriated in the State budget to the Fund; and			
10 11	of the Fund.	(iv)	Any other money from any other source accepted for the benefit			
$\begin{array}{c} 12\\ 13 \end{array}$	(6) same manner as	(i) s other S	The State Treasurer shall invest the money of the Fund in the tate money may be invested.			
14		(ii)	Any investment earnings of the Fund shall be paid into the Fund.			
$\begin{array}{c} 15\\ 16 \end{array}$	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018 January 1, 2019.					

Approved:

6

Governor.

Speaker of the House of Delegates.

President of the Senate.