
By: Delegates Bobo, Perry, Donoghue, and Pendergrass

Introduced and read first time: February 1, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Condominiums - Liens - Priority**

3 FOR the purpose of providing that a lien on a condominium unit consisting of not more
4 than a certain amount of unpaid condominium assessments is prior to a first
5 mortgage or deed of trust under certain circumstances; and generally relating to
6 liens on condominium units.

7 BY repealing and reenacting, with amendments,
8 Article - Real Property
9 Section 11-110(d)
10 Annotated Code of Maryland
11 (1996 Replacement Volume)

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

14 **Article - Real Property**

15 11-110.

16 (d) (1) Payment of assessments, together with interest, late charges, if any, costs
17 of collection and reasonable attorney's fees may be enforced by the imposition of a lien
18 on a unit in accordance with the provisions of the Maryland Contract Lien Act.

19 (2) Suit for any deficiency following foreclosure may be maintained in the
20 same proceeding, and suit to recover any money judgment for unpaid assessments may
21 also be maintained in the same proceeding, without waiving the right to seek to impose a
22 lien under the Maryland Contract Lien Act.

23 (3) IN THE CASE OF A FORECLOSURE SALE, A LIEN CONSISTING OF NOT
24 MORE THAN 6 MONTHS OF UNPAID ASSESSMENTS ON A UNIT IS PRIOR TO A CLAIM
25 OF A FIRST MORTGAGE OR DEED OF TRUST RECORDED AGAINST THE PROPERTY ON
26 OR AFTER JANUARY 1, 1997 IF THE ASSESSMENTS INCLUDED IN THE LIEN ARE BASED
27 ON THE EXPENSES DESCRIBED IN SUBSECTION (B) OF THIS SECTION AND IN
28 ACCORDANCE WITH THE ANNUAL BUDGET ADOPTED BY THE COUNCIL OF UNIT
29 OWNERS.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.