
By: **Delegate McIntosh**
Introduced and read first time: February 18, 2003
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Foreclosure Sales of Interests in Land - Recordation of**
3 **Ratification**

4 FOR the purpose of requiring a person that makes a certain foreclosure sale of an
5 interest in land in Baltimore City that is ratified to cause to be recorded in the
6 land records a copy of certain orders concerning the ratification under certain
7 circumstances; and generally relating to the recordation of ratification orders of
8 foreclosure sales of interests in land in Baltimore City.

9 BY repealing and reenacting, with amendments,
10 Article - Real Property
11 Section 14-103
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 2002 Supplement)

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

16 **Article - Real Property**

17 14-103.

18 (a) If a legal or equitable interest in land is sold under an execution sale,
19 judicial sale, or foreclosure sale except a sale under Title 14, Chapter 200 of the
20 Maryland Rules, and a deed is executed and delivered to the purchaser by the sheriff,
21 trustee, agent, or other officer making the sale, the grantee in the deed, when
22 recorded, is entitled to the same protection against the legal or equitable interests of
23 persons not of record as is provided in this article for the benefit of grantees in deeds
24 voluntarily executed, delivered, and recorded.

25 (b) If there is a decree for the sale of any reversion in lands to which rent is
26 incident, the court may order any rent in arrears to be sold with the estate and the
27 purchaser may recover the rent by distress, entry, or action, as if he was owner of the
28 estate when the rent accrued.

1 (c) If a sale is made on credit, the court, on application of the mortgagee or
2 creditor, may direct any bond taken in consequence of the sale to be assigned to the
3 mortgagee or creditor and the assignee may sue on the bond in his own name.

4 (d) The court may decree a sale of an equitable title in any case where a decree
5 for the sale of the legal title could be passed. The purchaser of the equitable title has
6 the same remedy for obtaining the legal title as the person whose equitable interest
7 he purchased would have had if no sale had been made.

8 (e) If property is sold pursuant to a judicial decree, all costs of the proceedings
9 accruing up to and including the final ratification of the sale shall be paid prior to the
10 final ratification of the first auditor's account after the sale. The costs shall include
11 the fees for recording all papers which are proper to be recorded by law. After
12 payment of the costs, the clerk of the court shall record all the proper required papers.

13 (F) IN BALTIMORE CITY, IF A FORECLOSURE SALE UNDER A MORTGAGE OR A
14 DEED OF TRUST OF AN INTEREST IN LAND IS RATIFIED, THE PERSON MAKING THE
15 SALE SHALL CAUSE TO BE RECORDED IN THE LAND RECORDS A COPY OF THE
16 FOLLOWING ORDERS WITHIN 30 DAYS OF THE ISSUANCE OF THE ORDER:

17 (1) A FINAL ORDER OF RATIFICATION AND A COPY OF THE REPORT OF
18 SALE; AND

19 (2) AN ORDER AUTHORIZING A SUBSTITUTE PURCHASER.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2003.