

# HOUSE BILL 1382

N1

71r2777

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By: **Delegate Bobo**

Introduced and read first time: March 5, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Homeowners Associations and Condominiums – Notice**  
3 **Extension and Renewal of Liens**

4 FOR the purpose of establishing that additional service of a certain summons is not  
5 required before foreclosure; altering when an action to foreclose a lien may be  
6 brought if the lien is on a lot of a homeowners association or a unit of a  
7 condominium; establishing that an action to foreclose a lien on a lot of a  
8 homeowners association or a unit of a condominium not brought within a  
9 certain period may be renewed for a certain period; and generally relating to  
10 liens on a lot of a homeowners association or a unit of a condominium.

11 BY repealing and reenacting, with amendments,  
12 Article – Real Property  
13 Section 14–204  
14 Annotated Code of Maryland  
15 (2003 Replacement Volume and 2006 Supplement)

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

18 **Article – Real Property**

19 14–204.

20 (a) (1) [A] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
21 **SUBSECTION, A** lien may be enforced and foreclosed by the party who obtained the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 lien in the same manner, and subject to the same requirements, as the foreclosure of  
2 mortgages or deeds of trust on property in this State containing a power of sale or an  
3 assent to a decree.

4 **(2) ADDITIONAL PERSONAL SERVICE OF A SUMMONS TO**  
5 **FORECLOSE A LIEN ON A LOT OF A HOMEOWNERS ASSOCIATION OR A UNIT IN A**  
6 **CONDOMINIUM MAY NOT BE REQUIRED.**

7 (b) If the owner of property subject to a lien is personally liable for alleged  
8 damages, suit for any deficiency following foreclosure may be maintained in the same  
9 proceeding, and suit for a monetary judgment for unpaid damages may be maintained  
10 without waiving any lien securing the same.

11 (c) [Any] **AN** action to foreclose a lien shall be brought:

12 **(1) [within] WITHIN 3 years following recordation of the statement of**  
13 **lien; OR**

14 **(2) WITHIN 12 YEARS FOLLOWING RECORDATION OF THE**  
15 **STATEMENT OF LIEN ON A LOT OF A HOMEOWNERS ASSOCIATION OR A UNIT IN A**  
16 **CONDOMINIUM.**

17 **(D) ANY ACTION TO FORECLOSE A LIEN ON A LOT OF A HOMEOWNERS**  
18 **ASSOCIATION OR A UNIT IN A CONDOMINIUM NOT BROUGHT WITHIN 12 YEARS**  
19 **SHALL BE RENEWABLE FOR AN ADDITIONAL 12-YEAR PERIOD, BUT MAY NOT BE**  
20 **RENEWED FOR ANY ADDITIONAL PERIOD.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2007.