

HOUSE BILL 640

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9lr0799

By: **Delegates Pena-Melnyk, Barnes, Ali, Anderson, Aumann, Bates, Benson, Bobo, Boteler, Braveboy, Bronrott, Burns, Cardin, Carter, Conaway, Dumais, Feldman, Griffith, Harrison, Healey, Hecht, Holmes, Howard, Hubbard, Hucker, Jameson, King, Kullen, Levi, McDonough, Montgomery, Norman, Oaks, Olszewski, Proctor, Ramirez, Rice, Robinson, Ross, Schuh, Shewell, Smigiel, Sophocleus, Stukes, F. Turner, V. Turner, Valderrama, Waldstreicher, Walker, and Walkup**

Introduced and read first time: February 9, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Residential Real Property in Foreclosure – Notice to Local**
3 **Governments**

4 FOR the purpose of requiring a certain person authorized to make a sale of residential
5 real property to notify the county or municipal corporation where the property
6 is located within a certain period of time after filing an action to foreclose a
7 mortgage or deed of trust on the property subject to the mortgage or deed of
8 trust; providing certain information that must be provided to the county or
9 municipal corporation in the notification; and generally relating to notice to
10 local governments of residential real property in foreclosure.

11 BY repealing and reenacting, with amendments,
12 Article – Real Property
13 Section 14–126
14 Annotated Code of Maryland
15 (2003 Replacement Volume and 2008 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 14–126.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) **(1)** In addition to any other foreclosure requirements under the law
2 **AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**, after the
3 commencement of an action to foreclose a lien on real property and before making a
4 sale of the property subject to the lien, the person authorized to make the sale shall
5 notify the county or municipal corporation where the property subject to the lien is
6 located, not less than 15 days prior to sale, of:

7 [(1)] **(I)** The name, address, and telephone number of the person
8 authorized to make the sale; and

9 [(2)] **(II)** The time, place, and terms of sale.

10 **(2)** **IN ADDITION TO ANY OTHER FORECLOSURE REQUIREMENTS**
11 **UNDER LAW, WITHIN 5 DAYS OF THE FILING OF AN ACTION TO FORECLOSE A**
12 **MORTGAGE OR DEED OF TRUST ON RESIDENTIAL REAL PROPERTY, THE PERSON**
13 **AUTHORIZED TO MAKE THE SALE OF THE PROPERTY SHALL NOTIFY THE**
14 **COUNTY OR MUNICIPAL CORPORATION WHERE THE PROPERTY SUBJECT TO THE**
15 **MORTGAGE OR DEED OF TRUST IS LOCATED OF:**

16 **(I)** **THE NAME, ADDRESS, AND CONTACT INFORMATION,**
17 **INCLUDING TELEPHONE NUMBER, OF THE PERSON AUTHORIZED TO MAKE THE**
18 **SALE;**

19 **(II)** **THE STREET ADDRESS OF THE RESIDENTIAL REAL**
20 **PROPERTY; AND**

21 **(III)** **THE NAMES AND ADDRESSES, IF KNOWN, OF ALL**
22 **PROPERTY OWNERS.**

23 (b) A county or municipal corporation that receives the notice described
24 under subsection (a)(1) of this section shall notify the person authorized to make the
25 sale of any outstanding liens, charges, taxes, or assessments that the county or
26 municipal corporation has against the property not more than 10 days after receiving
27 the notice of sale.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2009.