

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2009

CHAPTER _____

1 AN ACT concerning

2 ~~Real Property~~ **Residential Real Property in Foreclosure - Notice**
3 **Notification to Local Governments a County or Municipal Corporation**

4 FOR the purpose of authorizing a county or municipal corporation to enact a local law
5 requiring a certain person authorized to make a sale of residential real property
6 to notify the county or municipal corporation where the property is located
7 within a certain period of time after filing an action that notice be given to a
8 county or municipal agency or official when an order to docket or a complaint to
9 foreclose a mortgage or deed of trust on the property subject to the mortgage or
10 deed of trust; providing certain information that must be provided to the county
11 or municipal corporation in the notification is filed on residential property
12 located within the county or municipal corporation; requiring a local law
13 enacted under this Act to require a certain person to give a certain notice to a
14 certain county or municipal agency or official within a certain time; defining a
15 certain term; and generally relating to ~~notice to local governments of~~
16 notification to a county or municipal corporation regarding residential ~~real~~
17 property in foreclosure.

18 BY repealing and reenacting, without amendments,
19 Article – Real Property

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.



1 ~~(II) THE STREET ADDRESS OF THE RESIDENTIAL REAL~~
2 ~~PROPERTY; AND~~

3 ~~(III) THE NAMES AND ADDRESSES, IF KNOWN, OF ALL~~
4 ~~PROPERTY OWNERS.~~

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

10 (c) (1) IN THIS SUBSECTION, "RESIDENTIAL PROPERTY" HAS THE
11 MEANING STATED IN § 7-105.1 OF THIS ARTICLE.

12 (2) A COUNTY OR MUNICIPAL CORPORATION MAY ENACT A LOCAL
13 LAW REQUIRING THAT NOTICE BE GIVEN TO A COUNTY OR MUNICIPAL AGENCY
14 OR OFFICIAL WHEN AN ORDER TO DOCKET OR A COMPLAINT TO FORECLOSE A
15 MORTGAGE OR DEED OF TRUST IS FILED ON RESIDENTIAL PROPERTY LOCATED
16 WITHIN THE COUNTY OR MUNICIPAL CORPORATION.

17 (3) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL
18 REQUIRE THAT WITHIN FIVE DAYS AFTER FILING AN ORDER TO DOCKET OR A
19 COMPLAINT TO FORECLOSE A MORTGAGE OR DEED OF TRUST ON RESIDENTIAL
20 PROPERTY, THE PERSON AUTHORIZED TO MAKE THE SALE SHALL GIVE NOTICE
21 OF THE FILING TO THE COUNTY OR MUNICIPAL AGENCY OR OFFICIAL
22 DESIGNATED BY THE LOCAL LAW.

23 (4) THE NOTICE REQUIRED UNDER PARAGRAPH (3) OF THIS
24 SUBSECTION SHALL INCLUDE:

25 (I) THE STREET ADDRESS OF THE RESIDENTIAL PROPERTY
26 SUBJECT TO THE FORECLOSURE ACTION;

27 (II) THE NAMES AND ADDRESSES, IF KNOWN, OF ALL
28 OWNERS OF THE RESIDENTIAL PROPERTY SUBJECT TO THE FORECLOSURE
29 ACTION; AND

30 (III) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF
31 THE PERSON AUTHORIZED TO MAKE THE SALE.

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