

HOUSE BILL 965

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01r2098
CF SB 530

By: **Delegates Kelly, Anderson, Frank, and Schuler**

Introduced and read first time: February 12, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Mechanics’ Liens – Extent of Lien Applied to Tenant’s**
3 **Interest**

4 FOR the purpose of altering the percentage of value of a building erected, repaired,
5 rebuilt, or improved by a tenant for life or years or a person employed by the
6 tenant for purposes of determining the extent of a mechanics’ lien; and
7 generally relating to mechanics’ liens.

8 BY repealing and reenacting, without amendments,
9 Article – Real Property
10 Section 9–101(a), (b), and (f) and 9–102(a)
11 Annotated Code of Maryland
12 (2003 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Real Property
15 Section 9–103(c)
16 Annotated Code of Maryland
17 (2003 Replacement Volume and 2009 Supplement)

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

20 **Article – Real Property**

21 9–101.

22 (a) In this subtitle the following words have the meanings indicated.

23 (b) “Building” includes any unit of a nonresidential building that is leased or
24 separately sold as a unit.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (f) "Owner" means the owner of the land except that, when the contractor
2 executes the contract with a tenant for life or for years, "owner" means the tenant.

3 9-102.

4 (a) Every building erected and every building repaired, rebuilt, or improved
5 to the extent of 15 percent of its value is subject to establishment of a lien in
6 accordance with this subtitle for the payment of all debts, without regard to the
7 amount, contracted for work done for or about the building and for materials furnished
8 for or about the building, including the drilling and installation of wells to supply
9 water, the construction or installation of any swimming pool or fencing, the sodding,
10 seeding or planting in or about the premises of any shrubs, trees, plants, flowers or
11 nursery products, the grading, filling, landscaping, and paving of the premises, the
12 provision of building or landscape architectural services, engineering services, land
13 surveying services, or interior design services that pertain to interior construction and
14 are provided by a certified interior designer, and the leasing of equipment, with or
15 without an operator, for use for or about the building or premises.

16 9-103.

17 (c) (1) If a building is commenced and not finished, a lien established in
18 accordance with this subtitle shall attach to the extent of the work done or material
19 furnished.

20 (2) If a building is erected, or repaired, rebuilt, or improved to the
21 extent of ~~[25]~~ **15** percent of its value, by a tenant for life or years or by a person
22 employed by the tenant, any lien established in accordance with this subtitle applies
23 only to the extent of the tenant's interest.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2010.