

SENATE BILL 373

Q1

EMERGENCY BILL

0lr0955

By: **Senator Della**

Introduced and read first time: January 28, 2010

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Tax Sales – Complaint to Foreclose Right of Redemption**

3 FOR the purpose of authorizing the holder of certain certificates of sale in Baltimore
4 City for which there is no private purchaser to file a complaint at any time after
5 the date of sale to foreclose all rights of redemption in certain abandoned
6 property; altering a certain notice requirement to conform to certain provisions
7 of law establishing the types of expenses for which a holder of a certificate of
8 sale may be reimbursed under certain circumstances; making this Act an
9 emergency measure; and generally relating to tax sales.

10 BY repealing and reenacting, with amendments,
11 Article – Tax – Property
12 Section 14–833(a) and (a–1)(2) and (3)(v)
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2009 Supplement)

15 BY adding to
16 Article – Tax – Property
17 Section 14–833(g)
18 Annotated Code of Maryland
19 (2007 Replacement Volume and 2009 Supplement)

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

22 **Article – Tax – Property**

23 14–833.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as provided in subsections (a-1), (e), [and] (f), **AND (G)** of this
 2 section, at any time after 6 months from the date of sale a holder of any certificate of
 3 sale may file a complaint to foreclose all rights of redemption of the property to which
 4 the certificate relates.

5 (a-1) (2) The holder of a certificate of sale is not required to provide the
 6 notices under this subsection if subsection (e) [or], (f), **OR (G)** of this section applies to
 7 the property.

8 (3) The notices required under this subsection shall include at least
 9 the following:

10 (v) a statement that if the property is redeemed before an action
 11 to foreclose the right of redemption is filed, the amount that shall be paid to redeem
 12 the property is:

13 1. the total lien amount on the property at the time of
 14 sale, with interest;

15 2. any taxes, interest, and penalties paid by the holder of
 16 the certificate of sale;

17 3. any taxes, interest, and penalties accruing after the
 18 date of the tax sale; and

19 4. the following expenses incurred by the holder of the
 20 certificate of sale:

21 A. [attorney's fees] **COSTS** for recording the certificate of
 22 sale;

23 B. a title search fee, not to exceed \$250; and

24 C. reasonable attorney's fees, not to exceed \$500;

25 **(G) IN BALTIMORE CITY THE HOLDER OF A CERTIFICATE OF SALE**
 26 **PURCHASED UNDER § 14-824(A) OF THIS SUBTITLE FOR WHICH THERE IS NO**
 27 **PRIVATE PURCHASER MAY FILE A COMPLAINT, AT ANY TIME AFTER THE DATE**
 28 **OF SALE, TO FORECLOSE ALL RIGHTS OF REDEMPTION IN ABANDONED**
 29 **PROPERTY CONSISTING OF:**

30 **(1) A VACANT LOT; OR**

31 **(2) IMPROVED PROPERTY CITED AS VACANT AND UNFIT FOR**
 32 **HABITATION ON A HOUSING OR BUILDING VIOLATION NOTICE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety,
3 has been passed by a yea and nay vote supported by three-fifths of all the members
4 elected to each of the two Houses of the General Assembly, and shall take effect from
5 the date it is enacted.