

Chapter 549

(Senate Bill 372)

AN ACT concerning

Property Tax – Tax Sales – Notice to Foreclose Right of Redemption

FOR the purpose of altering certain notice provisions by requiring a holder of a certificate of sale to send certain notices by certified mail before the holder of a certificate of sale may file a complaint to foreclose the right of redemption; and generally relating to notices to foreclose the right of redemption.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 14–833(a–1)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–833(a–1)(6) and (8)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

Article – Tax – Property

14–833.

(a–1) (1) The holder of a certificate of sale may not file a complaint to foreclose the right of redemption until at least 2 months after sending the first of two notices required under this subsection to:

(i) the person who last appears as owner of the property on the collector's tax roll; and

(ii) 1. the current mortgagee of the property, assignee of a mortgagee of record, or servicer of the current mortgage; or

2. the current holder of a beneficial interest in a deed of trust recorded against the property.

(6) ~~(i)~~ **(I)** The ~~notice~~ FIRST OF THE TWO NOTICES required under this subsection shall be sent~~f~~:

~~(i)~~ **1.** by first-class mail; and

~~(ii)~~ **2.** in an envelope prominently marked on the outside with the following phrase “Notice of Delinquent Property Tax”~~f~~.

(II) THE SECOND OF THE TWO NOTICES REQUIRED UNDER THIS SUBSECTION SHALL BE SENT:

1. BY FIRST-CLASS CERTIFIED MAIL, POSTAGE PREPAID, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE; AND

2. IN AN ENVELOPE PROMINENTLY MARKED ON THE OUTSIDE WITH THE FOLLOWING PHRASE “NOTICE OF DELINQUENT PROPERTY TAX”.

(8) In a proceeding to foreclose the right of redemption, if the holder of a certificate of sale, the holder’s agent, or the attorney of the holder of a certificate of sale, files an affidavit, before the court enters a final judgment foreclosing the right of redemption, attesting to the fact that the affiant has complied with the notice provisions of this subsection **AND PROVIDES EVIDENCE THAT ~~NOTICE~~ THE SECOND OF THE TWO NOTICES REQUIRED UNDER THIS SUBSECTION WAS SENT BY CERTIFIED MAIL AS REQUIRED UNDER PARAGRAPH ~~(6)~~ **(6)(II)** OF THIS SUBSECTION, then:**

(i) the notice provisions of this subsection shall be deemed satisfied; and

(ii) the failure of the owner, mortgagee, or beneficiary of a deed of trust to receive the required notice does not invalidate the proceeding to foreclose the right of redemption or the final judgment of the court.

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

Approved by the Governor, May 20, 2010.