

# SENATE BILL 222

N1, L6

(8lr2419)

## ENROLLED BILL

— *Judicial Proceedings/Environment and Transportation* —

Introduced by **Senator Kelley**

Read and Examined by Proofreaders:

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Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

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President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Foreclosed Property Registry – Updated Information – Notice to Local**  
3 **Governments**

4 FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to  
5 establish procedures that require a foreclosure purchaser to submit to the Foreclosed  
6 Property Registry any change to certain information within a certain number of days  
7 after the change is known to the purchaser; requiring the Department to notify, by  
8 electronic means, certain authorized users from certain counties and municipal  
9 corporations on receipt through the Foreclosed Property Registry of an initial  
10 registration or a change to certain information; providing for a delayed effective date;  
11 and generally relating to the Foreclosed Property Registry.

12 BY repealing and reenacting, with amendments,  
13 Article – Real Property  
14 Section 14–126.1

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### 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.

*Italics* indicate opposite chamber/conference committee amendments.



Annotated Code of Maryland  
(2015 Replacement Volume and 2017 Supplement)  
(As enacted by Chapters 348 and 349 of the Acts of the General Assembly of 2017)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

5 That the Laws of Maryland read as follows:

## Article – Real Property

7 14-126.1.

(a) (1) In this section the following words have the meanings indicated.

16 (5) "Fund" means the Foreclosed Property Registry Fund established by  
17 the Department under subsection (i) of this section.

18 (6) "Local jurisdiction" means:

19 (i) A county; or

20 (ii) A municipal corporation.

(7) "Residential property" means real property improved by four or fewer dwelling units that are designed principally and are intended for human habitation.

23 (b) The Department shall establish and maintain an Internet-based Foreclosed  
24 Property Registry for information relating to foreclosure sales of residential property.

25 (c) At the time of a foreclosure sale of residential property, the person responsible  
26 for conducting the foreclosure shall obtain from the foreclosure purchaser a written  
27 acknowledgment of the requirements of this section.

28 (d) (1) Within 30 days after a foreclosure sale of residential property, a  
29 foreclosure purchaser shall submit an initial registration to the Foreclosed Property  
30 Registry.

31 (2) The initial registration shall:

- (i) Be in the form the Department requires; and
- (ii) Contain the following information:
  - 1. The name, telephone number, and address of the user;
  - 2. The street address of the property that is the subject of the
  - 3. The date of the foreclosure sale;
  - 4. Whether the property is a single-family or multifamily
  - 5. The name and address of the person, including a user, who is authorized to accept legal service for the foreclosure
  - 6. To the best of the foreclosure purchaser's knowledge at the n:
    - A. Whether the residential property is vacant; and
    - B. The name, telephone number, and street address of the onible for the maintenance of the property; and
  - 7. Whether the foreclosure purchaser has possession of the

(3) Within 30 days after a deed transferring title to the residential property is recorded, the foreclosure purchaser shall submit a final registration to the Property Registry.

(4) The final registration shall:

- (i) Be in the form the Department requires; and
- (ii) Contain the following information as of the date of final
  - 1. The name, telephone number, and address of the owner on
  - 2. The date of the ratification of the sale; and

3. The date the deed was recorded.

14 (e) (1) The filing fees for registering a residential property are:

15 (i) \$50 for an initial registration filed within the time period  
16 required under subsection (d)(1) of this section; and

19 (2) There is no fee for a final registration.

20 (3) A filing fee paid under paragraph (1) of this subsection is  
21 nonrefundable.

22 (4) A local jurisdiction may enact a local law that imposes a civil penalty  
23 for failure to register under this section in an amount not exceeding \$1,000.

24 (f) (1) Subject to paragraph (2) of this subsection, a local jurisdiction that, in  
25 accordance with any applicable building code or local ordinance, abates a nuisance on a  
26 residential property registered under this section or takes action to maintain a residential  
27 property registered under this section may collect the cost associated with the abatement  
28 or other action as a charge included on the residential property's property tax bill.

3 (ii) The notice described in subparagraph (i) of this paragraph shall:

6 2. Be provided:

12 (g) (1) The Foreclosed Property Registry:

13 (i) Is not a public record as defined by § 4-101 of the General  
14 Provisions Article; and

15 (ii) Is not subject to Title 4 of the General Provisions Article.

16 (2) The Department may authorize access to the Foreclosed Property  
17 Registry only to local jurisdictions, their agencies, and representatives and State agencies.

21 (i) A person who owns property on the same block; or

22 (ii) A homeowners association or condominium in which the property  
23 is located.

24 (h) Revenue collected from the filing fees required under subsection (e)(1) of this  
25 section shall be distributed to the Fund.

26 (i) (1) There is a Foreclosed Property Registry Fund in the Department.

27 (2) The purpose of the Fund is to support the development, administration,  
28 and maintenance of the Foreclosed Property Registry established under this section.

29 (3) The Department shall administer the Fund.

(4) (i) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

5 (5) The Fund consists of:

6 (i) Revenue distributed to the Fund under subsection (h) of this  
7 section;

8 (ii) Investment earnings of the Fund;

10 (iv) Any other money from any other source accepted for the benefit  
11 of the Fund.

14 (ii) Any investment earnings of the Fund shall be paid into the Fund.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 ~~October 1, 2018~~ January 1, 2019.

Approved:

Governor.

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## President of the Senate.

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## Speaker of the House of Delegates.

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