

HOUSE BILL 85

N1, P1, L6

8lr0858

By: **Delegate Grammer**

Introduced and read first time: January 12, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Labor, Licensing, and Regulation – Foreclosed Property Registry**
3 **– Access**

4 FOR the purpose of authorizing the Department of Labor, Licensing, and Regulation to
5 authorize access to the Foreclosed Property Registry to members of local legislative
6 bodies and members of the General Assembly; requiring the Department, on request
7 of a member of a local legislative body or a member of the General Assembly, to
8 provide information from the Foreclosed Property Registry to the member making
9 the request; defining a certain term; making stylistic changes; and generally relating
10 to access to the Foreclosed Property Registry.

11 BY repealing and reenacting, with amendments,
12 Article – Real Property
13 Section 14–126.1(a) and (g)
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Real Property
18 Section 14–126.1(b) and (d)
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2017 Supplement)

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

23 **Article – Real Property**

24 14–126.1.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) “Department” means the Department of Labor, Licensing, and
2 Regulation.

3 (3) “Foreclosed Property Registry” means the Foreclosed Property Registry
4 established by the Department under subsection (b) of this section.

5 (4) “Foreclosure purchaser” means the person identified as the purchaser
6 on the report of sale required by Maryland Rule 14–305 for a foreclosure sale of residential
7 property.

8 (5) “Fund” means the Foreclosed Property Registry Fund established by
9 the Department under subsection (i) of this section.

10 (6) “Local jurisdiction” means:

11 (i) A county; or

12 (ii) A municipal corporation.

13 **(7) (I) “LOCAL LEGISLATIVE BODY” MEANS THE ELECTED BODY OF**
14 **A LOCAL JURISDICTION.**

15 **(II) “LOCAL LEGISLATIVE BODY” INCLUDES:**

16 **1. THE BOARD OF COUNTY COMMISSIONERS;**

17 **2. THE COUNTY COUNCIL; AND**

18 **3. THE GOVERNING BODY OF A MUNICIPAL**
19 **CORPORATION.**

20 **[(7)] (8)** “Residential property” means real property improved by four or
21 fewer dwelling units that are designed principally and are intended for human habitation.

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

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

27 (2) The initial registration shall:

28 (i) Be in the form the Department requires; and

1 (ii) Contain the following information:

2 1. The name, telephone number, and address of the
3 foreclosure purchaser;

4 2. The street address of the property that is the subject of the
5 foreclosure sale;

6 3. The date of the foreclosure sale;

7 4. Whether the property is a single-family or multifamily
8 property;

9 5. The name and address of the person, including a
10 substitute purchaser, who is authorized to accept legal service for the foreclosure
11 purchaser;

12 6. To the best of the foreclosure purchaser's knowledge at the
13 time of registration:

14 A. Whether the residential property is vacant; and

15 B. The name, telephone number, and street address of the
16 person who is responsible for the maintenance of the property; and

17 7. Whether the foreclosure purchaser has possession of the
18 property.

19 (3) Within 30 days after a deed transferring title to the residential property
20 has been recorded, the foreclosure purchaser shall submit a final registration to the
21 Foreclosed Property Registry.

22 (4) The final registration shall:

23 (i) Be in the form the Department requires; and

24 (ii) Contain the following information as of the date of final
25 registration:

26 1. The name, telephone number, and address of the owner on
27 the deed;

28 2. The date of the ratification of the sale; and

29 3. The date the deed was recorded.

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

1 (i) Is not a public record as defined by § 4–101 of the General
2 Provisions Article; and

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

4 (2) (I) The Department may authorize access to the Foreclosed Property
5 Registry only to local jurisdictions, [their] **THE agencies OF LOCAL JURISDICTIONS, [and]**
6 **MEMBERS OF LOCAL LEGISLATIVE BODIES,** representatives [and] **OF State agencies,**
7 **AND MEMBERS OF THE GENERAL ASSEMBLY.**

8 (II) **ON REQUEST OF A MEMBER OF A LOCAL LEGISLATIVE BODY**
9 **OR A MEMBER OF THE GENERAL ASSEMBLY, THE DEPARTMENT SHALL PROVIDE**
10 **INFORMATION FROM THE FORECLOSED PROPERTY REGISTRY TO THE MEMBER**
11 **MAKING THE REQUEST.**

12 (3) Notwithstanding paragraphs (1) and (2) of this subsection, the
13 Department or a local jurisdiction may provide information for a specific property in the
14 Foreclosed Property Registry to:

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

16 (ii) A homeowners association or condominium in which the property
17 is located.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2018.