

SENATE BILL 951

N1, L2

11r3036

By: **Senator Ramirez**

Introduced and read first time: March 2, 2011

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Foreclosed-On Property Registry**

3 FOR the purpose of authorizing Prince George's County to enact a local law
4 establishing a foreclosed-on property registry for certain property located in the
5 county; requiring a local law enacted under this Act to require a certain
6 successor in interest to register certain foreclosed-on residential property, to
7 pay a certain registration fee, and to be responsible for the maintenance and
8 security of the foreclosed-on property; requiring a local law enacted under this
9 Act to require a certain successor in interest to provide certain information on
10 the property; requiring the county to establish a special fund for the deposit of
11 registration fees to be used for certain purposes; requiring a local law enacted
12 under this Act to require a certain successor in interest who transfers title of or
13 rents a foreclosed-on property to notify the county; requiring the county to
14 delete the property from the registry under certain circumstances; requiring a
15 local law enacted under this Act to subject a successor in interest to a certain
16 civil penalty for failing to maintain and secure the foreclosed-on property;
17 requiring a local law enacted under this Act to subject a successor in interest to
18 a certain civil penalty for failing to register a foreclosed-on property; defining
19 certain terms; and generally relating to the authority of Prince George's County
20 to enact a local law establishing a foreclosed-on property registry.

21 BY repealing and reenacting, without amendments,
22 Article – Real Property
23 Section 7-105.1(a)(1) and (9)
24 Annotated Code of Maryland
25 (2010 Replacement Volume and 2010 Supplement)

26 BY adding to
27 Article – Real Property
28 Section 14-126(d)
29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2010 Replacement Volume and 2010 Supplement)

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

4 **Article – Real Property**

5 7–105.1.

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

7 (9) “Residential property” means real property improved by four or
8 fewer single family dwelling units that are designed principally and are intended for
9 human habitation.

10 14–126.

11 **(D) (1) (I) IN THIS SUBSECTION THE FOLLOWING TERMS HAVE THE**
12 **MEANINGS INDICATED.**

13 **(II) “FORECLOSED–ON PROPERTY” MEANS RESIDENTIAL**
14 **PROPERTY THAT IS NOT OCCUPIED, THAT HAS BEEN THE SUBJECT OF A**
15 **FORECLOSURE SALE, AND FOR WHICH THE TITLE HAS BEEN ACQUIRED BY A**
16 **SUCCESSOR IN INTEREST.**

17 **(III) “RESIDENTIAL PROPERTY” HAS THE MEANING STATED**
18 **IN § 7–105.1 OF THIS ARTICLE.**

19 **(IV) “SUCCESSOR IN INTEREST” MEANS THE PERSON WHO:**

20 **1. HAS ACQUIRED LEGAL TITLE TO RESIDENTIAL**
21 **PROPERTY AT A FORECLOSURE SALE; BUT**

22 **2. DOES NOT INTEND TO LIVE IN THE PROPERTY.**

23 **(V) “VACANT” MEANS A BUILDING NOT LEGALLY OCCUPIED.**

24 **(2) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S**
25 **COUNTY.**

26 **(3) THE COUNTY MAY ENACT A LOCAL LAW THAT ESTABLISHES A**
27 **FORECLOSED–ON PROPERTY REGISTRY AND REQUIRES A SUCCESSOR IN**
28 **INTEREST OF FORECLOSED–ON PROPERTY LOCATED WITHIN THE COUNTY:**

1 **(I) IN ACCORDANCE WITH PARAGRAPH (4) OF THIS**
2 **SUBSECTION, TO REGISTER THE PROPERTY WITH THE COUNTY WITHIN A**
3 **SPECIFIED PERIOD OF TIME AFTER THE SUCCESSOR IN INTEREST HAS**
4 **ACQUIRED TITLE TO THE PROPERTY;**

5 **(II) IN ACCORDANCE WITH PARAGRAPH (5) OF THIS**
6 **SUBSECTION, TO PAY A SPECIFIED REGISTRATION FEE OF \$75 TO THE COUNTY**
7 **FOR THE PROPERTY; AND**

8 **(III) IN ACCORDANCE WITH PARAGRAPH (6) OF THIS**
9 **SUBSECTION, TO BE RESPONSIBLE FOR THE SECURITY AND MAINTENANCE OF**
10 **THE PROPERTY.**

11 **(4) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL**
12 **REQUIRE THAT THE REGISTRATION OF A FORECLOSED-ON PROPERTY INCLUDE:**

13 **(I) IDENTIFICATION OF THE PROPERTY BY STREET**
14 **ADDRESS AND TAX ACCOUNT NUMBER;**

15 **(II) THE NAME OF THE SUCCESSOR IN INTEREST AND THE**
16 **DATE THE SUCCESSOR IN INTEREST ACQUIRED TITLE TO THE PROPERTY; AND**

17 **(III) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF AN**
18 **INDIVIDUAL, AUTHORIZED TO ACT ON BEHALF OF THE SUCCESSOR IN INTEREST,**
19 **WHO:**

20 **1. MAINTAINS AN OFFICE IN THE STATE; AND**

21 **2. IS AUTHORIZED IN WRITING TO ACCEPT NOTICES**
22 **OF VIOLATIONS OF THE LOCAL LAW ENACTED UNDER THIS SUBSECTION FROM**
23 **THE COUNTY.**

24 **(5) (I) A LOCAL LAW ENACTED UNDER THIS SUBSECTION**
25 **SHALL REQUIRE THAT THE SUCCESSOR IN INTEREST PAY THE COUNTY AN**
26 **ANNUAL REGISTRATION FEE OF \$75 FOR EACH FORECLOSED-ON PROPERTY.**

27 **(II) THE COUNTY SHALL DEPOSIT THE REGISTRATION FEE**
28 **IN A SPECIAL FUND TO BE USED ONLY FOR THE PURPOSE OF MAINTAINING**
29 **FORECLOSED-ON PROPERTIES IN THE JURISDICTION IN ACCORDANCE WITH**
30 **LOCAL LAW.**

31 **(6) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL**
32 **REQUIRE THAT THE SUCCESSOR IN INTEREST:**

1 **(I) MAINTAIN THE REGISTERED FORECLOSED-ON**
2 **PROPERTY AND KEEP THE PROPERTY FREE FROM DEAD VEGETATION AND THE**
3 **ACCUMULATION OF DISCARDED ITEMS THAT GIVE THE APPEARANCE OF THE**
4 **PROPERTY BEING VACANT AND NOT MEETING NEIGHBORHOOD STANDARDS;**
5 **AND**

6 **(II) SECURE THE REGISTERED FORECLOSED-ON PROPERTY**
7 **SO THE PROPERTY IS NOT ACCESSIBLE TO UNAUTHORIZED INDIVIDUALS.**

8 **(7) (I) A LOCAL LAW ENACTED UNDER THIS SUBSECTION**
9 **SHALL REQUIRE THE SUCCESSOR IN INTEREST WHO SELLS OR TRANSFERS**
10 **TITLE TO FORECLOSED-ON PROPERTY TO A PERSON WHO INTENDS TO OCCUPY**
11 **THE PROPERTY OR WHO OBTAINS A RENTAL LICENSE AND INTENDS TO RENT**
12 **THE PROPERTY TO NOTIFY AND PROVIDE DOCUMENTATION TO THE COUNTY**
13 **THAT THE PROPERTY HAS BEEN TRANSFERRED.**

14 **(II) ON RECEIPT OF THE NOTICE AND DOCUMENTATION**
15 **REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COUNTY**
16 **SHALL DELETE THE PROPERTY FROM THE FORECLOSED-ON PROPERTY**
17 **REGISTRY.**

18 **(8) A LOCAL LAW ENACTED UNDER THIS SUBSECTION SHALL**
19 **REQUIRE THAT:**

20 **(I) THE FAILURE TO MAINTAIN AND SECURE THE**
21 **FORECLOSED-ON PROPERTY AS PROVIDED IN THE LOCAL LAW SUBJECTS THE**
22 **SUCCESSOR IN INTEREST TO A CIVIL PENALTY AS PROVIDED IN THE LOCAL LAW;**
23 **AND**

24 **(II) THE FAILURE TO REGISTER A FORECLOSED-ON**
25 **PROPERTY AS PROVIDED IN THE LOCAL LAW SUBJECTS THE SUCCESSOR IN**
26 **INTEREST TO A CIVIL PENALTY AS PROVIDED IN THE LOCAL LAW.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2011.