

# HOUSE BILL 1156

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By: **Delegate Stein**

Introduced and read first time: February 9, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Residential Property – Foreclosed Property Registry – Notice of Registration**

3 FOR the purpose of authorizing a homeowners association or condominium council of unit  
4 owners to file with the Department of Labor, Licensing, and Regulation a request for  
5 notice of an initial registration in the Foreclosed Property Registry; requiring the  
6 Department to maintain a current list of certain requests for notice and to promptly  
7 send certain written notice after receiving an initial registration in the Registry to a  
8 homeowners association or condominium under certain circumstances; requiring the  
9 Department to provide certain access to the Registry to an officer of a homeowners  
10 association or condominium under certain circumstances; and generally relating to  
11 the Foreclosed Property Registry.

12 BY repealing and reenacting, with amendments,  
13 Article – Real Property  
14 Section 14–126.1(g)  
15 Annotated Code of Maryland  
16 (2015 Replacement Volume and 2016 Supplement)

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

19 **Article – Real Property**

20 14–126.1.

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

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

7                   (ii) A homeowners association or condominium in which the property  
8 is located.

9           **(4) (I) A HOMEOWNERS ASSOCIATION OR CONDOMINIUM COUNCIL**  
10 **OF UNIT OWNERS MAY FILE WITH THE DEPARTMENT A REQUEST FOR NOTICE OF AN**  
11 **INITIAL REGISTRATION IN THE FORECLOSED PROPERTY REGISTRY.**

12                   **(II) A REQUEST FOR NOTICE SHALL INCLUDE:**

13                           **1. FOR A HOMEOWNERS ASSOCIATION:**

14                                   **A. THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE**  
15 **OF THE HOMEOWNERS ASSOCIATION;**

16                                   **B. A LEGAL DESCRIPTION OF THE BOUNDARIES OF THE**  
17 **DEVELOPMENT THAT IS SUBJECT TO THE AUTHORITY OF THE HOMEOWNERS**  
18 **ASSOCIATION OR A COPY OF THE DECLARATION AND PLAT FOR THE HOMEOWNERS**  
19 **ASSOCIATION; AND**

20                                   **C. THE STREET ADDRESSES OF THE INDIVIDUAL LOTS**  
21 **LOCATED WITHIN THE DEVELOPMENT; OR**

22                                   **2. FOR A CONDOMINIUM, THE NAME AND ADDRESS OF**  
23 **THE PRINCIPAL OFFICE OF THE CONDOMINIUM AND THE STREET ADDRESSES OF**  
24 **THE INDIVIDUAL UNITS OF THE CONDOMINIUM.**

25                   **(III) THE DEPARTMENT SHALL MAINTAIN A CURRENT LISTING**  
26 **OF REQUESTS FOR NOTICE FILED UNDER THIS PARAGRAPH.**

27                   **(IV) 1. EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (V) OF**  
28 **THIS PARAGRAPH, AFTER RECEIVING AN INITIAL REGISTRATION OF A RESIDENTIAL**  
29 **PROPERTY LOCATED IN A HOMEOWNERS ASSOCIATION OR CONDOMINIUM THAT HAS**  
30 **FILED A VALID REQUEST FOR NOTICE UNDER THIS PARAGRAPH, THE DEPARTMENT**

1 SHALL PROMPTLY PROVIDE WRITTEN NOTICE OF THE REGISTRATION TO THE  
2 HOMEOWNERS ASSOCIATION OR CONDOMINIUM COUNCIL OF UNIT OWNERS.

3                                   2. THE NOTICE REQUIRED UNDER THIS  
4 SUBPARAGRAPH:

5                                   A. SHALL BE SENT BY FIRST-CLASS MAIL TO THE  
6 ADDRESS OF THE PRINCIPAL OFFICE OF THE HOMEOWNERS ASSOCIATION OR  
7 CONDOMINIUM; AND

8                                   B. SHALL INCLUDE THE STREET ADDRESS OF THE  
9 PROPERTY THAT IS THE SUBJECT OF THE INITIAL REGISTRATION.

10                                   (V) IN LIEU OF THE NOTICE REQUIRED UNDER SUBPARAGRAPH  
11 (IV) OF THIS PARAGRAPH, UPON RECEIPT OF AN AFFIDAVIT, IN A FORM PRESCRIBED  
12 BY THE DEPARTMENT, BY AN OFFICER OF A HOMEOWNERS ASSOCIATION OR  
13 CONDOMINIUM THAT HAS FILED A VALID REQUEST FOR NOTICE UNDER THIS  
14 PARAGRAPH, THE DEPARTMENT SHALL PROVIDE THE OFFICER ACCESS TO THE  
15 FORECLOSED PROPERTY REGISTRY IN ORDER TO VERIFY WHETHER SPECIFIC  
16 PROPERTIES IN THE ASSOCIATION OR CONDOMINIUM ARE IN THE REGISTRY.

17                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2017.