

HOUSE BILL 1156

N1

7lr0595

By: **Delegate Stein**

Introduced and read first time: February 9, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

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:

Article – Real Property

20 14–126.1.

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.



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

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

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

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

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

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

11 (ii) A homeowners association or condominium in which the property
12 is located.

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

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

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

18 **A. THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE**
19 **OF THE HOMEOWNERS ASSOCIATION;**

20 **B. A LEGAL DESCRIPTION OF THE BOUNDARIES OF THE**
21 **DEVELOPMENT THAT IS SUBJECT TO THE AUTHORITY OF THE HOMEOWNERS**
22 **ASSOCIATION OR A COPY OF THE DECLARATION AND PLAT FOR THE HOMEOWNERS**
23 **ASSOCIATION; AND**

24 **C. THE STREET ADDRESSES OF THE INDIVIDUAL LOTS**
25 **LOCATED WITHIN THE DEVELOPMENT; OR**

26 2. **FOR A ~~CONDOMINIUM~~, THE CONDOMINIUM:**

27 **A. THE NAME AND ADDRESS OF THE PRINCIPAL OFFICE**
28 **OF THE ~~CONDOMINIUM~~ AND THE CONDOMINIUM; AND**

29 **B. THE STREET ADDRESSES OF THE INDIVIDUAL UNITS**
30 **OF THE CONDOMINIUM.**

1 (III) THE DEPARTMENT SHALL MAINTAIN A CURRENT LISTING
2 OF REQUESTS FOR NOTICE FILED UNDER THIS PARAGRAPH.

3 (IV) 1. ~~EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (V) OF~~
4 ~~THIS PARAGRAPH, AFTER~~ AFTER RECEIVING AN INITIAL REGISTRATION OF A
5 RESIDENTIAL PROPERTY LOCATED IN A HOMEOWNERS ASSOCIATION OR
6 CONDOMINIUM THAT HAS FILED A VALID REQUEST FOR NOTICE UNDER THIS
7 PARAGRAPH, THE DEPARTMENT SHALL PROMPTLY PROVIDE WRITTEN NOTICE OF
8 THE REGISTRATION TO THE HOMEOWNERS ASSOCIATION OR CONDOMINIUM
9 COUNCIL OF UNIT OWNERS.

10 2. THE NOTICE REQUIRED UNDER THIS
11 SUBPARAGRAPH:

12 ~~A. SHALL~~ SHALL BE SENT BY FIRST-CLASS MAIL TO THE
13 ADDRESS OF THE PRINCIPAL OFFICE OF THE HOMEOWNERS ASSOCIATION OR
14 CONDOMINIUM, ~~OR BY E-MAIL TO THE ADDRESS AUTHORIZED BY THE HOMEOWNERS~~
15 ~~ASSOCIATION OR CONDOMINIUM COUNCIL OF UNIT OWNERS; AND~~

16 ~~B. SHALL INCLUDE THE.~~

17 3. THE NOTICE REQUIRED UNDER THIS SUBPARAGRAPH
18 SHALL INCLUDE:

19 A. THE STREET ADDRESS OF THE PROPERTY THAT IS
20 THE SUBJECT OF THE INITIAL REGISTRATION; AND

21 B. THE NAME AND ADDRESS OF THE FORECLOSURE
22 PURCHASER.

23 ~~(V) IN LIEU OF THE NOTICE REQUIRED UNDER SUBPARAGRAPH~~
24 ~~(IV) OF THIS PARAGRAPH, UPON RECEIPT OF AN AFFIDAVIT, IN A FORM PRESCRIBED~~
25 ~~BY THE DEPARTMENT, BY AN OFFICER OF A HOMEOWNERS ASSOCIATION OR~~
26 ~~CONDOMINIUM THAT HAS FILED A VALID REQUEST FOR NOTICE UNDER THIS~~
27 ~~PARAGRAPH, THE DEPARTMENT SHALL PROVIDE THE OFFICER ACCESS TO THE~~
28 ~~FORECLOSED PROPERTY REGISTRY IN ORDER TO VERIFY WHETHER SPECIFIC~~
29 ~~PROPERTIES IN THE ASSOCIATION OR CONDOMINIUM ARE IN THE REGISTRY.~~

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