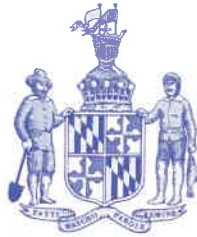


**BRIAN E. FROSH**  
*Attorney General*

**ELIZABETH F. HARRIS**  
*Chief Deputy Attorney General*

**CAROLYN QUATTROCKI**  
*Deputy Attorney General*



**WILLIAM D. GRUHN**  
*Chief*  
Consumer Protection Division

**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**  
**CONSUMER PROTECTION DIVISION**

Writer's Direct Dial No.  
410-576-6986

February 25, 2020

To: The Honorable William C. Smith, Jr.  
Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn  
Staff Attorney

Re: Senate Bill 675 – Baltimore County - Foreclosure Proceedings - Affidavit That Property  
Is Vacant or Unfit for Human Habitation (OPPOSE)

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The Consumer Protection Division of the Office of the Attorney General opposes Senate Bill 675 sponsored by Senator West because it would remove valuable and necessary protections to Maryland homeowners facing foreclosure proceedings in Baltimore County.

The current law limits the ability of secured interest holders to avoid the full foreclosure procedures--including advanced notice of the intent to foreclose, and the ability to seek foreclosure mediation and relief--detailed in the Real Property Article § 7-105.1. These important due process protections ensure Maryland consumers know of their rights in the foreclosure process and allows consumers to retain ownership of their property through mediation.

Unlike the current law, Senate Bill 675 would not require that a county or municipal corporation certify that the property is vacant or unfit for human habitation. Instead, Senate Bill 675 would allow individuals with a secured interest in a property to expedite the foreclosure process by merely filing with the court an affidavit that the property at issue is vacant or uninhabitable. Moreover, the homeowner would only have thirty (30) days to dispute the accuracy of the affidavit foreclosing their access to important due process procedures. Senate Bill 675's proposal to allow secured interest holders in Baltimore County to skirt the full foreclosure notice and medication processes without seeking a certificate of vacancy or uninhabitability from a county or municipal corporation would invite unfairness to the foreclosure procedure and harm Maryland consumers. Accordingly, the Division requests that the Judicial Proceedings Committee give Senate Bill 675 an unfavorable report.

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200 Saint Paul Place ♦ Baltimore, Maryland 21202-2021

Main Office (410) 576-6300 ♦ Main Office Toll Free (888) 743-0023

Consumer Complaints and Inquiries (410) 528-8662 ♦ Health Advocacy Unit/Billing Complaints (410) 528-1840

Health Advocacy Unit Toll Free (877) 261-8807 ♦ Home Builders Division Toll Free (877) 259-4525 ♦ Telephone for Deaf (410) 576-6372

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