

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2017 Legislative Session

Bill No. CB-12-2017

Chapter No. 30

Proposed and Presented by Council Member Franklin

Introduced by Council Members Franklin, Toles, Lehman, Harrison, Turner,
Davis, Glaros, Taveras and Patterson

Date of Introduction June 13, 2017

BILL

1 AN ACT concerning

2 Foreclosed Property Registry Enforcement

3 For the purpose of establishing civil penalties for the failure to register foreclosed properties;
4 enforcing compliance by existing foreclosure purchasers, and generally relating to the
5 enforcement of foreclosed property registration.

6 BY adding:

7 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

8 Sections 13-1105.01, 13-1105.02, 13-1105.03, and

9 13-1105.04,

10 The Prince George's County Code

11 (2015 Edition; 2016 Supplement).

12 BY repealing and reenacting with amendments:

13 SUBTITLE 28. CIVIL MONETARY FINES OR

14 PENALTIES.

15 Section 28-259,

16 The Prince George's County Code

17 (2015 Edition; 2016 Supplement).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
19 Maryland, that Sections 13-1105.01, 13-1105.02, 13-1105.03, and 13-1105.04 of the Prince
20 George's County Code be and the same are hereby added:

21 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

DIVISION 12A. FORECLOSED PROPERTY REGISTRY ENFORCEMENT.

Sec. 13-1105.01. - Definitions.

In this Division, the following words have the meanings indicated:

(a) Foreclosed Property Registry means the Foreclosed Property Registry established by the Maryland Department of Labor, Licensing, and Regulation as required by Section 14-126.1, Real Property Article, Annotated Code of Maryland.

(b) Foreclosure purchaser means the person identified as the purchaser on the report of sale required by Maryland Rule 14-305 for foreclosure sale of residential property.

Sec. 13-1105.02. Foreclosure registration required.

A foreclosure purchaser shall submit any required registration to the Foreclosed Property Registry as prescribed by Section 14-126.1, Real Property Article, Annotated Code of Maryland.

Sec. 13-1105.03. Penalties.

For [any violation of this Division,]failure to register a property as required under Section 14-126.1, Real Property Article, Annotated Code of Maryland, the Director of the Department of Permitting, Inspections, and Enforcement or the Director's designee [shall] may impose a civil penalty of \$1,000. [for an initial or repeat violation.] [Each calendar day that a foreclosure purchaser is in violation of this Division for a property shall constitute a separate violation. Unpaid penalties under this Section at the end of any calendar year shall become a tax lien on the subject property.]

Sec. 13-1105.04. Compliance by Existing Foreclosure Purchasers.

Persons who were foreclosure purchasers prior to the effective date of this Act shall submit any outstanding registration to the Foreclosed Property Registry required by Section 14-126.1, Real Property Article, Annotated Code of Maryland within thirty (30) days after the effective date of this Act or be penalized in accordance with Section 13-1105.03 of this Division.

SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 28-259 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.

DIVISION 3. MISCELLEANOUS CIVIL VIOLATIONS.

SUBDIVISION 1. GENERAL.

Sec. 28-259. Proceedings before the District Court.

* * * * *

(b) With the exception of violations pursuant to Sections 13-246, 13-271, 13-1105.03, or 23-150 of the Code, and the tax lien placed on the property per Section 13-246.02 or Section 13-269 of the Prince George’s County Code, which shall be paid in full to Prince George’s County through the Office of Finance before transfer or sale of the property, upon a finding of a violation the civil fine imposed by the Court shall be in an amount deemed appropriate by the Court but shall not be less than the total amount in the schedule contained in Section 28-111 of this Division. With the exception of violations pursuant to Sections 13-246, 13-271, 13-1105.03, or 23-150 of the Code, the Court may suspend or defer the payment of the civil fine upon such reasonable grounds as the Court determines. Upon a finding of a violation pursuant to Sections 13-246, 13-271, or 23-150 of the Code, the civil fine imposed by the Court shall be strictly in accordance with the fines prescribed in Sections 13-246, 13-271, 13-1105.03, and 23-150 of the Code.

SECTION 3. BE IT FURTHER ENACTED that revenue generated by the imposition of penalties under this Act shall be remitted back to the budget of the Department of Permitting, Inspections, and Enforcement.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 11th day of July, 2017.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick L. Davis
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.