

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2008 Legislative Session

Bill No. CB-83-2008

Chapter No. _____

Proposed and Presented by Council Member Campos

Introduced by Council Member Campos

Co-Sponsors _____

Date of Introduction October 21, 2008

BILL

1 AN ACT concerning

2 Vacant Residential Property Registration and Maintenance

3 For the purpose of providing for the registration of vacant or unoccupied residential structures
4 with the Department of Environmental Resources; providing civil penalties for failure to register;
5 and providing criminal penalties for failure to maintain such properties.

6 BY adding:

7 SUBTITLE 13. HOUSING AND PROPERTY
8 STANDARDS.

9 Sections 13-1101, 13-1102, 13-1103,
10 13-1104, and 13-1105,
11 The Prince George's County Code
12 (2003 Edition, 2006 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Sections 13-1101, 13-1102, 13-1103, 13-1104 and 13-1105 of the Prince
15 George's County Code be and the same are hereby added:

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

17 **DIVISION 11. VACANT PROPERTY REGISTRATION AND MAINTENANCE.**

18 **Sec. 13-1101. Definitions.**

19 (a) **Creditor owner** means a person who is a trustee, a person who purchased a vacant
20 residential structure from a trustee, or a person who has accepted a deed in lieu of foreclosure
21 from a person who was in default of a loan secured by the vacant residential structure.

1 (b) **Debtor owner** means a person who owns or has owned residential real property that is
 2 subject to sale by a trustee and has vacated the residential structure at the request or demand of a
 3 creditor owner.

4 (c) **Director** means the Director of the Department of Environmental Resources or the
 5 Director's designee.

6 (d) **Failure to maintain** means allowing the exterior of a vacant residential structure to
 7 deteriorate or become a public nuisance, failing to maintain a vacant residential structure as
 8 required by subtitle 13 of the this Code, or failing to prevent trespassers or squatters from
 9 occupying a vacant residential structure.

10 (e) **Trustee** means a trustee or substitute trustee who has commenced action to sell
 11 property to satisfy a debt secured in whole or in part by the property.

12 (f) **Vacant residential structure** means residential real property improved by one or more
 13 dwelling units that is not occupied and is subject to sale by a trustee or other person acting on
 14 behalf of a person or entity to whom the property serves as security for a loan.

15 **Sec. 13-1102. Registration of vacant or unoccupied residential structures.**

16 (a) Within five business days after the debtor owner has moved from a residential real
 17 property at the request or demand of the creditor owner, the creditor owner shall register the
 18 residential real property with the Director. The Director shall provide forms for registration.

19 (b) The creditor owner shall identify each property required to be registered by tax account
 20 number and street address and shall provide the name of debtor owner, the date the debtor owner
 21 moved, the name of creditor owner, the date credit owner obtained possession, and the name,
 22 address, and telephone number for a natural person authorized to act on behalf of the creditor
 23 owner. The natural person must maintain an office within the State of Maryland and be
 24 authorized in writing by the creditor owner to accept notices of violation from the Director.

25 (c) The creditor owner shall pay a registration fee of one hundred dollars for each vacant
 26 residential structured with the Director.

27 (d) When the creditor owner sells and transfers title to a vacant residential structure to a
 28 person who intends to occupy it or who obtains a rental license and intends to rent it, the creditor
 29 owner shall notify the Director that the vacant residential structure has been sold together with
 30 documentation satisfactory to the Director that the property has been sold. The Director shall
 31 delete the property from the Director's files.

1 **Sec. 13-1103. Failure to register a vacant or unoccupied residential real property.**

2 (a) A creditor owner that fails to register a vacant or unoccupied residential real property
3 with the Director shall pay a civil penalty of fifty dollars for each day the residential real
4 property in not registered for the first twenty-five days.

5 (b) A creditor owner that fails to register a vacant or unoccupied residential real property
6 with the Director shall pay a civil penalty of one hundred dollars for each day the residential real
7 property in not registered for the twenty-sixth through sixtieth days.

8 (c) A creditor owner that fails to register a vacant or unoccupied residential real property
9 with the Director shall pay a civil penalty of three hundred dollars for each day the residential
10 real property in not registered for each day after sixty days.

11 **Sec. 13-1104. Failure to maintain a vacant residential structure; penalty.**

12 (a) The creditor owner is responsible for the security and maintenance of a vacant
13 residential structure.

14 (b) Failure to maintain a vacant residential structure by a creditor owner is a misdemeanor
15 and shall, upon conviction, be punishable by a one thousand dollar fine or imprisonment not to
16 exceed six months, or both.

17 **Sec. 13-1105. Disclosure of information under the Maryland Public Information Act.**

18 In order to deter vandalism, theft, arson, or trespassers, the information registered with the
19 Director shall be maintained as confidential financial information of the creditor owner and shall
20 not be disclosed by the Director as long as the vacant residential structure is required to be
21 registered.

22

1 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect on forty-five
2 (45) calendar days after it becomes law.

Adopted this ____ day of _____, 2008.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Samuel H. Dean
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
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.