

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2009 Legislative Session**

Bill No. CB-11-2009

Chapter No. 9

Proposed and Presented by Council Members Campos and Harrison

Introduced by Council Member Campos and Harrison

Co-Sponsors \_\_\_\_\_

Date of Introduction June 2, 2009

**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 and 13-1104,

11 The Prince George's County Code  
12 (2007 Edition, 2008 Supplement).

13 WHEREAS, recent events in the national housing market have led to a drastic rise in the  
14 number of foreclosed houses in Prince George's County and such houses are in the control of  
15 financial institutions that have little connection to the communities where the homes are located;  
16 and

17 WHEREAS, many of these homes are vacated at the demand or request of the financial  
18 institution, at times prior to the conclusion of foreclosure proceedings, and sit empty for months  
19 or years creating a blight on the neighborhood, becoming an attractive nuisance within the  
20 neighborhood, and constituting a violation of the County's Housing Code; and

21 WHEREAS, it is extremely difficult for County officials responsible for enforcing the

1 Housing Code to communicate with the appropriate representatives of financial institutions to  
 2 obtain compliance with the requirements of the Housing Code and other property maintenance  
 3 codes when the identities of the appropriate financial institutions and their authorized  
 4 representatives in the County are obscured by layers of unrecorded conveyances and layers of  
 5 financial institution organizations in multiple locations; and

6 WHEREAS, county and municipal jurisdictions around the nation are encountering patterns  
 7 of indifference and neglect from financial institutions regarding the maintenance of foreclosed  
 8 properties resulting in deteriorating properties, accumulations of litter and debris, unsecured  
 9 buildings, unsecured swimming pools and other maintenance violations that attract vandalism,  
 10 squatters, and criminal activities; and

11 WHEREAS, the State of Maryland has enacted and signed into law Chapter 149 of the  
 12 Laws of Maryland, 2009, codified at Sections 7-105.1(a) and 14-126 of the Real Property  
 13 Article, Annotated Code of Maryland to provide for the filing of certain information regarding  
 14 the identity and contact information of the person authorized to make the sale of property in  
 15 foreclosure; and

16 WHEREAS, Prince George’s County has decided to enact local legislation as authorized by  
 17 Chapter 149, Laws of Maryland, 2009.

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

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

22 **DIVISION 11. NOTICE CONCERNING RESIDENTIAL PROPERTY SUBJECT TO**  
 23 **FORECLOSURE.**

24 **Sec. 13-1101. Definitions.**

25 (a) **Director** means the Director of the Department of Environmental Resources or the  
 26 Director’s designee.

27 (b) **Person authorized to make the sale** means the person designated pursuant to the  
 28 Maryland Rules to sell residential property subject to foreclosure.

29 (e) **Residential property** means real property improved by four or fewer single family  
 30 dwelling units.

31 **Sec. 13-1102. Registration of residential property subject to foreclosure.**

1        (a) Within five calendar days after a person authorized to make the sale of a residential  
2 property has filed an order to docket or a complaint to foreclose a mortgage or deed of trust on  
3 residential property located in the County, the person authorized to make the sale shall give  
4 notice of the filing to the Director.

5        (b) The notice shall identify the residential property subject to foreclosure by street address  
6 and, if known, by tax account number, and shall include the names and addresses, if known, of  
7 all owners of the residential property subject to the foreclosure action and the name, address, and  
8 telephone number of the person authorized to make the sale.

9        (c) The person authorized to make the sale may provide to the Director the name, address,  
10 and telephone number of a person authorized to manage and maintain the residential property  
11 prior to the sale of the residential property.

12 **Sec. 13-1103. Failure to provide notice.**

13        A person authorized to make the sale that fails to give notice as required in this Division  
14 shall pay a civil penalty of fifty dollars for each calendar day the notice is not filed.

15 **Sec. 13-1104. Disclosure of information under the Maryland Public Information Act.**

16        In order to deter vandalism, theft, arson, or trespassers, the notice filed with the Director  
17 shall be maintained as confidential financial information of the person authorized to make the  
18 sale and shall not be disclosed by the Director until a deed has been recorded for the property.  
19

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

Adopted this 23<sup>rd</sup> day of June , 2009.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Marilynn M. Bland  
Chairperson

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.