

HB0243/933821/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 243
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “sale;” insert “authorizing a county or municipal corporation to withhold from tax sale certain property when the taxes consist only of a lien for unpaid water and sewer service;”; and in line 23, before “prohibiting” insert “extending the time period after which possession of a property may be taken after a judgement foreclosing the right of redemption; altering certain notice requirements prior to a certain plaintiff taking possession of property;”.

On page 2, in line 8, after “14-836(b)(4)(i)” insert “and (7)”.

AMENDMENT NO. 2

On page 2, in line 30, after “(3)” insert “**(I)**”; and after line 33, insert:

“(II) SUBJECT TO § 14-849.1 OF THIS SUBTITLE, THE COLLECTOR MAY WITHHOLD FROM SALE NON-OWNER-OCCUPIED RESIDENTIAL PROPERTY IF:

1. THE TAXES ON THE PROPERTY CONSIST ONLY OF A LIEN FOR UNPAID CHARGES FOR WATER AND SEWER SERVICE; AND

2. THE PROPERTY MEETS OBJECTIVE CRITERIA ESTABLISHED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF THE COUNTY OR MUNICIPAL CORPORATION.”.

On page 6, in line 13, strike “IS” and substitute “**MAY NOT EXCEED**”.

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On page 9, after line 31, insert:

“(7) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, after issuance of the judgment foreclosing right of redemption and at least [30] 90 days before taking possession of the property, the plaintiff shall give any tenant of the property written notice of the plaintiff’s intention to obtain possession of the property and that the tenant must vacate the property within [30] 90 days after the notice.

(ii) During the [30–day] 90–DAY period immediately following issuance of the judgment foreclosing the right of redemption, the plaintiff may apply for, process, and obtain, but not execute upon, a writ for possession of the property.

(iii) The notice shall be sent:

1. by first–class mail, postage prepaid, CERTIFICATE OF MAILING, bearing a postmark from the United States Postal Service addressed to the tenant by name if the identity of the tenant is known to the plaintiff, and addressed to “occupant” if the identity of the tenant is not known;

2. to each separately leased area of the property that the plaintiff can reasonably ascertain is occupied; and

3. in an envelope prominently marked on the outside with the following phrase “Notice of Taking Possession of Property”.

(IV) THE NOTICE REQUIRED UNDER THIS PARAGRAPH SHALL ALSO BE POSTED ON THE PROPERTY WITHIN 1 DAY OF FIRST BEING SENT UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH.”