

HOUSE BILL 1353

N1

2lr3307
CF SB 753

By: **Delegate Healey**

Introduced and read first time: February 16, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Blighted Property – Required Sale or Nuisance Abatement**

3 FOR the purpose of requiring the owner of a blighted property to list the property for
4 sale with a licensed real estate broker at a price that does not exceed a certain
5 amount or remediate the property’s code violations in a certain manner and
6 within a certain period of time; authorizing the appropriate unit of local
7 government to grant an extension of certain required time periods; prohibiting
8 an owner of a blighted property from listing the property for lease until the
9 property meets certain code requirements; authorizing the appropriate unit of a
10 certain local government to declare a blighted property a nuisance and order the
11 owner to abate the nuisance; authorizing a local government to impose a fine
12 equal to a certain amount under certain circumstances; defining a certain term;
13 and generally relating to required sales and nuisance abatement of blighted
14 properties.

15 BY adding to

16 Article – Real Property

17 Section 14–120.1

18 Annotated Code of Maryland

19 (2010 Replacement Volume and 2011 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Real Property**

23 **14–120.1.**

24 **(A) IN THIS SECTION, “BLIGHTED PROPERTY” MEANS A PROPERTY**
25 **THAT:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(1) HAS BEEN VACANT OR BOARDED FOR AT LEAST 1 YEAR;**
2 **(2) HAS BEEN THE SUBJECT OF NUISANCE COMPLAINTS; AND**
3 **(3) DOES NOT MEET THE REQUIREMENTS OF THE APPLICABLE**
4 **LOCAL HOUSING CODE OR THE MINIMUM LIVABILITY CODE.**

5 **(B) (1) THE OWNER OF A BLIGHTED PROPERTY SHALL:**

6 **(I) LIST THE PROPERTY FOR SALE:**

- 7 **1. WITH A REAL ESTATE BROKER LICENSED UNDER**
8 **TITLE 17 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; AND**
9 **2. AT A LISTING PRICE THAT DOES NOT EXCEED THE**
10 **VALUE OF THE PROPERTY AS ASSESSED FOR THE PURPOSES OF APPLYING**
11 **PROPERTY TAX; OR**

12 **(II) REMEDIATE THE PROPERTY'S CODE VIOLATIONS BY:**

- 13 **1. SUBMITTING A REMEDIATION PLAN FOR**
14 **APPROVAL BY THE APPROPRIATE UNIT OF LOCAL GOVERNMENT;**
15 **2. BEGINNING THE REMEDIATION WITHIN 30 DAYS**
16 **AFTER THE PLAN IS APPROVED; AND**
17 **3. COMPLETING THE REMEDIATION WITHIN 90 DAYS**
18 **AFTER THE REMEDIATION HAS BEGUN.**

19 **(2) THE APPROPRIATE UNIT OF LOCAL GOVERNMENT MAY GRANT**
20 **AN EXTENSION OF THE TIME PERIODS REQUIRED FOR REMEDIATION UNDER**
21 **PARAGRAPH (1)(II) OF THIS SUBSECTION.**

22 **(3) AN OWNER OF A BLIGHTED PROPERTY MAY NOT LIST THE**
23 **PROPERTY FOR LEASE UNTIL THE PROPERTY MEETS THE REQUIREMENTS OF**
24 **THE APPLICABLE LOCAL HOUSING CODE OR THE MINIMUM LIVABILITY CODE.**

25 **(C) (1) IF AN OWNER OF A BLIGHTED PROPERTY VIOLATES**
26 **SUBSECTION (B) OF THIS SECTION, THE APPLICABLE UNIT OF LOCAL**
27 **GOVERNMENT IN A MUNICIPALITY IN WHICH THE BLIGHTED PROPERTY IS**
28 **LOCATED MAY DECLARE THE PROPERTY A NUISANCE AND ORDER THE OWNER**
29 **TO ABATE THE NUISANCE.**

1 **(2) IF THE OWNER OF A BLIGHTED PROPERTY FAILS TO COMPLY**
2 **WITH AN ORDER BY A LOCAL GOVERNMENT TO ABATE A NUISANCE, THE LOCAL**
3 **GOVERNMENT MAY IMPOSE A FINE ON THE OWNER EQUAL TO THREE TIMES THE**
4 **AMOUNT OF THE LOCAL PROPERTY TAX IMPOSED ON THE PROPERTY.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2012.